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ABSTRACT

Urban school systems are finding it increasingly difficult to meet the extensive educational needs of their students, many of whom are from poverty backgrounds. By all statistical measures, the cities have far more than their share of economically disadvantaged pupils. Because of urban poverty, many of these students are not prepared to learn, they progress slowly in school, and they often suffer impaired health. Many come from foreign language backgrounds or are handicapped and need special attention. These negative factors then become manifested in students' inability to achieve basic skills or in their becoming underachievers. Money, however, can make a difference by focusing on those educational areas where students are weak and where they can benefit from enriched programs and more teachers. The growing disparity in educational offerings between poor cities and affluent suburbs must be ended by an infusion of funds. (Author/WP)

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Central-City Schooling: Money Can Make A Difference

A Case for the Country's Conscience

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This publication was derived from the brief reviewing the evidence presented by witnesses for the city plaintiffs in the State of New York case: *Levittown Union Free School District* v. *Nyquist*. The authors are John Silard, the Washington, D.C., attorney who is chief counsel for the city school plaintiffs, and his legal associates Elliott C. Lichtman and Mary M. Levy. This published version was excerpted and edited by Arthur J. Levin of the Potomac Institute. They are solely responsible for the specific contents.

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Contents

	PAGE
I. Introduction	1
II. The Education Burdens Of Urban Poverty	3
III. The Effect On Achievement	31
IV. How Money Can Make A Difference	36
V. Conclusion	63

I. Introduction

Urban public education is in a state of crisis, with masses of disadvantaged school children failing to achieve even rudimentary learning in our central-city schools. The problem of educating city children disadvantaged by poverty was officially recognized more than a decade ago, when Congress adopted Title I of the Elementary and Secondary Education Act of 1965 (P.L. 89-10) to provide supplemental money for school districts with large numbers of impoverished children. But Title I has not sufficed to eliminate the problem: educational failure in the city schools continues at unparalleled and unacceptable levels. Each year millions of city children complete public schooling between the ages of 15 and 18 far behind in basic skills and learning, many still unable to meet even the reading or writing levels of the average 10-year-old.

The failure pattern in our city school systems is known to the legislatures of the states and equally well known to the Congress; moreover, it has emerged as a potential area of judicial action. The issue of the cities' education overburdens and the state's legal responsibility to meet them has recently been presented to the courts in a test case in the State of New York: *Levittown Union Free School District* v. *Nyquist*, No. 8208-74 Supreme Court, County of Nassau.

The *Levittown* suit was initially filed by property-poor school districts challenging the state's failure to provide them the means for operating their schools with resources comparable to those of wealthier school districts. Soon after the case commenced, there

intervened as additional plaintiffs the Boards of Education of Rochester, New York City, Syracuse, and Buffalo, asserting a separate constitutional claim: that the state school aid law fails in many respects to recognize the genuine burdens and needs of the city school districts. The cities must educate masses of disadvantaged children who need extensive compensatory help, yet, as the city plaintiffs in *Levittown* have pointed out, the state aid statute discriminates against the cities in major aspects common to the statutes of most states.

First, the state aid law fails to recognize that cities have much higher per capita costs for non-educational municipal services, such as police, fire, and sanitation, and so must devote to these a much higher portion of their revenue, leaving only a reduced tax base for the operation of their schools. *Second*, the state aid law does not recognize that costs of education personnel and services are much higher in urban centers than in smaller localities and rural districts, so that local money does not go as far in the city school systems.

But beyond these funding inequities, the trial of the New York case in 1976 illuminated the vast burdens and problems of urban school systems in meeting the extensive educational needs of the poverty populations they serve. Dozens of witnesses for the cities elucidated the educational disadvantages suffered by inner-city school children; they described some of the effective remedies for those ills; and they demonstrated the substantial costs of meaningful compensatory education programs to provide those remedies. The testimony thus presented is of immediate and general interest to legislators, educators, parents, and the public, for the school conditions and learning needs in Buffalo, New York, Rochester, and Syracuse are not basically different from those in city schools throughout the nation.

The material that follows is derived from the brief reviewing the evidence presented by witnesses for the city plaintiffs in the *Levittown* suit. Readers who may desire access to the original trial transcripts, exhibits, or briefs from which the material was prepared may obtain assistance by writing to the Potomac Institute, 1501 18th Street, N.W., Washington, D.C. 20036.

II. The Education Burdens Of Urban Poverty

Pervasive and severe problems created by urban poverty result in heavy education burdens that have a deleterious effect on city school systems. Diminished learning readiness and progress, impaired mental and physical health, handicaps, lack of English, family transiency, and high absenteeism are the education by-products of urban poverty. Not only do Buffalo, New York City, Rochester, and Syracuse have far more poverty than other jurisdictions in the state, but urban circumstances greatly exacerbate the hardships of poverty and complicate their resolution.

For example, excessive crowding and noise impede language development, discourage parental attention and support, and prevent children from doing schoolwork. Family breakdown is more common in the inner city, and children in single-parent families present greater problems of discipline and low achievement. Moreover, the concentration of students with learning and behavior problems in city schools increases astronomically the difficulty of remediation. In the suburbs a child with emotional problems can often be absorbed into an otherwise normal class, which is impossible when troubled children are as numerous as they are in inner-city schools and classrooms.

By all statistical measures, the cities have far more than their share of economically disadvantaged pupils. Moreover, both the proportion and the absolute numbers of poor students have

increased dramatically in the past decade. Welfare dependency, according to Dr. Bernard R. Gifford, Deputy Chancellor of the New York City Board of Education, is a good indicator of poverty as far as the schools are concerned, because:

> "[P]upils that are poor and dependent tend to bring to school problems that are even more difficult to deal with than the problems that accompany students that are poor but come from families that are not characterized by the kind of pathologies that are associated with welfare dependencies."
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> "[W]e have found that a female-headed household with a low income . . . tends to show up in most of the problem areas of the Board of Education . . . in the classes for the emotionally disturbed; . . . pupils that are recommended to the court because they are felt to be in need of court supervision; . . . that drop out of school, . . . you will find a disproportionate number of these children coming from families that receive aid to dependent children assistance from the New York City Welfare Department."

By the welfare measure, New York City has a tremendous overburden: with only 43% of the state's population, it has 60% of the state's female-headed families and 67% of the individuals living on Aid to Families with Dependent Children (AFDC). Almost 20% of the city's families are headed by a mother alone—an 81% increase in the last 10 years. In the same period the number of children on welfare has more than doubled, from 315,000 to 650,000. In Rochester, 42.5% of the elementary school pupils are economically disadvantaged (as measured by AFDC, low income, and foster home status).

By other measures, the poverty among the cities' school children appears even worse. Under the standard of federal Title I eligibility (based on welfare status and family income), with 31% of the state's public school enrollment New York City has at least 65% and perhaps 80% of the state's Title I-eligible students. The upstate three cities, too, have some of the highest proportions of AFDC and low-income children in the state. Because of limited family income, about half the pupils in New York City and Syracuse, and an astonishing 68% in Buffalo, are eligible for free school lunches.

Another poverty indicator is the percentage of minority group pupils, of whom the vast majority in the cities are poor. The percentage of minority group students in the public schools is 66.4% in New York City, 31.6% in Syracuse, 47.6% in Buffalo, and 49.2% in Rochester. The four districts have among them 84.4% of the state's black and Spanish-surnamed students. These proportions have risen sharply in recent years in all four cities;

New York City has experienced a shift from two-thirds white 10 years ago to two-thirds black and Hispanic today.

A further result of urban poverty is that even students without disabilities are educationally shortchanged. As the cities concentrate resources on special-need students, other students—including disadvantaged pupils not reached by special programs—suffer diminished offerings and opportunity. For example, the cities' "normal" students have among the highest teacher-classroom ratios in the state, with the inevitable result of less individualized instruction. Their variety of elective courses is severely constricted. They work in aged, decrepit facilities; schools with buckets hung on pipes to catch leaks; schools with yellowing, flaking walls, falling plaster, leaking plumbing, and foul odors. They receive counseling on stairs and in converted lavatories because there are no offices. Highly motivated students study English flashcards while tucked into stairwells because there are no study halls. They have no recreation at school because there are no usable gyms or playgrounds. City students are shortchanged in physical security, transportation, support services, sports, extracurricular activities, libraries, supervision of their teachers, health services, art, and music.

The consequence is massive denial of educational opportunity and tragic achievement losses for great numbers of city students. We turn now to consider the manifold learning barriers and education burdens which that poverty represents for city children and city schools.

A. Impaired Learning Readiness

The conditions of life in urban poverty prevent many young inner-city children from being ready for school when they enter. As vividly described by Hilda Sorell, a pre-kindergarten teacher in the south Bronx, inner-city children walk streets and playgrounds unsafe for play; suffer disruptive household moves; parents who act indifferent; mothers who may care to the point of nervous anxiety but cannot cope with isolation, deprivation, and wife-beating; mothers who are children themselves (the mother of a four-year-old Mrs. Sorell worked with was only 16); and homes without food or heat, let alone toys or books.

All the children in Mrs. Sorell's class had abnormal language and cognitive deficiencies. Willie could curse fluently but did not know what a red circle was or where his eyes or toes were, nor

could he follow verbal directions. With five brothers and sisters, including an 11-year-old partially blind deaf-mute, the family lived in four rooms and was twice forced from apartments by fires during the year. Because the third apartment lacked heat and electricity, Willie's hands were swollen from cold and he was frequently absent. Although he made some progress in the class, he finally moved again and is no longer in pre-school because programs in his area are full. Another child, Johnny, slept in a bed flush with a third-floor window without guards. The kitchen in his apartment was swarming with flies, plaster was falling in the bathroom, and there was no furniture in the living room. There were no toys, no books, and frequently no food (Johnny suffered from malnutrition). At the end of every school day he had to be coaxed from the top shelf of the closet, apparently because he feared physical abuse from his mother. During the year his building burned and he disappeared from school, and when at his mother's request several months later the school authorities looked for a place for him in a new pre-kindergarten program, none was available.

Many or most lower income children, like those just described, are behind their middle-class counterparts as they begin school. Our school system has long assumed that children have certain skills on entering. But they are the skills of the middle-class child, ready to pay attention, familiar with books and writing materials, knowing letters of the alphabet, grasping such crucial learning concepts as "same" and "different." Middle-class learning readiness exists largely because of what Dr. Cynthia P. Deutsch, Professor of Psychology in the School of Education, and Senior Research Scientist at the Institute for Developmental Studies, New York University, described as "the hidden curriculum of the middle class home," which is lacking in "the lower class or slum home or in a home set up by uneducated parents of low economic and occupational status:"

> "That makes a big difference to a kid when he goes from home to school and finds a real continuity of experience, continuity of verbal interaction with an adult which he has with his teacher and which he has had with his parents, a continuity of the actual artifacts and materials in the class."
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> "The middle class home is a preliminary, a preparation and a supplement to the school system; the lower class home is not. Now, the kids from lower class backgrounds learn a great many things, but what they tend to learn and what they tend to be best at the time they go to school are not the kinds

of activities and skills that are demanded in a verbal, academic setting like school and like a highly industrialized society such as we live in."

These conclusions were supported by the experience of many other witnesses who work with young children. Lillian Feldman, Supervisor of Early Childhood Education in Syracuse, testified to the "sharp contrast" between kindergarten children she had taught in inner-city Syracuse and the "achieving children" of educated families she had taught before—differences in language, emotional problems, and cognitive skills: "They, quite frankly, looked like dropouts before they even had a chance to get started."

The underlying causes and symptoms of impaired learning readiness among inner-city children are obvious consequences of poverty—lack of books, toys, and materials; a dearth of parental time and energy; crowded and noisy housing; and parent lack of education. As Dr. Deutsch noted, "a family that barely has enough money to feed itself does not have much left over for toys." Because slum children have few playthings, they are exposed to few "stable stimuli" that give them the opportunity to practice differentiations (e.g., in color, weight, and proportions) that are essential for later learning. The middle-class child not only has stimulation at home but finds a continuity of his home experience at school in basic materials like blocks and books found in any early childhood classroom. The inner-city child lacking this experience "doesn't have the same atmosphere. It is a very strange circumstance for him, and it gets him off on a different foot. It doesn't have to be the wrong foot, but it tends to be the wrong foot. It is a strange land." Lack of materials also means that lower class children tend to be unfamiliar with crucial early school tools like pencils, coloring books, and scissors, which disadvantages them from the start.

Lower class children are frequently also unprepared for school because they have learned less from their parents. "Middle class parents tend to be extremely verbal with their kids and explain everything . . . whereas lower class parents, from we have come to call disadvantaged areas, tend not to interact that much verbally:"

"Also the middle class parent is more likely to explain again and interpret and verbalize the kinds of stimuli that are around. It's the whole thing of making an experience meaningful for a child, whether it's visual or other ways.

"A middle class home is just full of little lessons all the time . . . the child

picks up the newspaper and the parent says, 'See, that's b and your name begins with b, or baby begins with b,' or something of the sort."

Crowded, noisy surroundings and the drain on time and energy created by lack of money discourage this kind of interaction in impoverished households:

"[O]n the average you have a different kind of interaction when you have a child living in a tenement that maybe has three rooms and eight people where what are called warm-bed tenants where there are people who are working at different hours, and there is always somebody asleep, and where sometimes the television set is always on, and nobody is necessarily watching it, where the child doesn't have a place of his own to sit and be quiet and think or do his own pursuits. That is a different situation from the middle class child with a room of his own or which he shares with only one other person, with the parent who has time for him and speaks with him, and so forth."

* * *

"Again, middle class children can be question boxes, and lower class children tend not to be. Partly it's again the factors which make the lower class parent tireder. His or her . . . attention is fractionated into many, many more pieces. There are more children around, life is much harder. It takes much longer to get anything done."

* * *

"So the parent who is pushed to the breaking point already really trying to do enough shopping and get enough food on the table and keep an organized enough household to function, does not welcome a lot of questions from a child along the way. And if the same parent is not terribly educated, which is typical, and doesn't know a lot of answers, he or she is even less welcoming for the questions."

* * *

"The whole dynamic is different, where the middle class parent, the educated parent, encourages the child's interest in involvement and curiosity in the world, and the lower class parent tends to regard it as a burden."

The same circumstances also discourage reading to children. Poor families have fewer books and tend to be unaware of the relationship of reading to the child's later school performance; many poor parents are poorly educated and self-conscious about their reading skills; they are also more likely to be working during hours when reading would be appropriate. This, too, disadvantages their children because "[m]any studies have found that children who are read to develop more advanced language and have an easier time learning to read."

Because of their very different and restricted environment, poor children are likely to enter school without learning skills that middle-class children typically have. For example, middle-class children can usually count to 20 by the time they start school and

can tell time by the hour, while poor children cannot. While middle-class children observed by Dr. Deutsch usually recognize all 26 alphabet letters, poor children typically know only X and O.

Middle-class parents more often inculcate the habit of paying attention (especially to verbal instructions), a habit upon which school instruction largely depends. In the poverty home the development of memory skills is dampened by lack of parental attention and instruction. Conversation and reading stories develop a child's memory, particularly when middle-class parents remind the child of past events or encourage him to anticipate and talk about events in a familiar story.

Poor family children also are denied childhood experiences that tend to give a grasp of sequence, and cause and effect. Consistency in child-rearing practices teaches such relationships, and middle-class parents tend to be conscious of this; lower class parents rely more upon simply saying "no," but not always consistently. Moreover, "children who are read to develop these notions of before and after, and cause and effect, and an unfolding of a story, whereas children who are not read to don't have the opportunity to learn this."

Television does not compensate for this lack:

> "The picture of the little kid in his pajamas and sitting and watching avidly a whole story unfold is not very typical of these lower class slum homes. The[re] are people in and out, and the set gets changed and the sound goes off, and maybe it's in the one living room that's also the room where everybody eats and where somebody sleeps, and so the thing gets turned off in the middle, and so forth."

Thus the environment of lower income children does not contribute to their understanding of cause and sequence.

The language development of lower class children tends to be behind that of middle-class pupils, because children learn grammar and the conceptual use of language from what they hear around them. But poor children have less interaction with adults; little speech is directed to them, and they often live in a noisy environment, which leads them to "tune out." When children have less exposure to language, less interpretation, and less practice with it, their language facility is less developed, which in turn impairs school achievement in a number of ways. One is that "[w]e tend to use verbal mediators a great deal in problem-solving (e.g., labeling items in order to remember them), even in solving problems that are not very durable, and people with less language facility are less prone to use these verbal mediators, and that's a very important element in school performance."

Moreover, inner-city children often do not understand important basic concepts of color and time, or relations like "in front of" or "beside." The Rochester kindergarten class described by teacher Lorraine Swanton made the extent of this problem painfully apparent. In a very simple test of basic concepts, 29 of 30 inner-city five-year-olds could not determine the correnr way to hold a book, 29 of 30 could not mark the picture that rhymed with spoon, 24 of 30 could not determine that the nose was missing on the picture of a girl, and 24 of 30 could not identify a picture of an apple cut in half. The children did not know names of parts of their own bodies like arms and teeth, or primary colors like red. A grasp of these concepts is fundamental because reading readiness requires the ability to discriminate, and because a child cannot understand written words that mean nothing to him when spoken. Even in teaching simple letters it is hard to teach the difference between "b" and "d" to a child who does not understand "right," "left," or "beside."

Poor auditory discrimination is another pervasive problem:

> "Reading is a very complex process, and part of reading involves establishing an invariant relationship between the sound of something and the way it looks. And if you can't be sure about differentiating one sound from another, you can't be absolutely sure about differentiating one letter from another in looking at it, you have got really a big problem in trying to learn to read."

The slum child's special environment contributes significantly to this problem:

> "You also learn from a lot of directed speech to recognize the different sounds in speech. We found, for instance, that kids from lower class backgrounds who were retarded in reading had poor auditory discrimination, they had trouble distinguishing one word from another in speech, and their main problem was distinguishing the phoneme at the end of words. That's very difficult in English because we carry a lot of our grammar on the ends of words. So a child that is not exposed to properly pronounced words, including the endings, does not have the same head start . . . on grammar that the child who hears all of those words is going to have. And he misses out on past tenses and on plurals and so forth, and the verbs that change depending on whether the noun is singular or plural, change in very mysterious ways for a kid who doesn't hear that final 's,' and the result is less grasp of language, less grasp of these kinds of changes."

All these language problems are aggravated when the only dialect the child knows is a non-standard one. A distinguishing characteristic of a common inner-city dialect, for example, is that the suffixes which mark past tense (written-ed), third person singular (written -s), and noun plurals (written -s) are not pro-

nounced. The standard English forms "he talks" and "he talked" are both pronounced "he talk." Thus, dialect differences, as well as lack of interaction with adults and higher noise levels, cause further difficulty in auditory discrimination and make it harder for the inner-city child to learn to read. Furthermore, as Dr. Deutsch pointed out, children who grow up speaking a non-standard English have difficulty in simply following the teacher when they first arrive at school.

Inner-city children ultimately learn to understand the teacher, of course, just as they learn to count to 20, to recognize letters of the alphabet, and to use pencils and scissors. But while they are painfully trying to learn these skills, their middle-class counterparts are moving further ahead. The insidious effect of impaired learning readiness is that it follows children through school, because "subsequent materials of the school, subsequent aspects of the curriculum, build on what went before, and it's an ever-increasing array of skills which are based on fewer original skills." And once a skill is missed, it becomes more difficult to gain later on:

> "If the class is learning upper case and lower case letters, and it takes him longer to learn the 'B' and 'D' for instance, then he has missed the grammatical lessons that are included, that are part of learning what 'ed' on the end of a word means. So he can be in third grade, he can have perfectly good skills in recognizing 'B' and 'D' but because certain aspects of past tense were taught before he could recognize it, and nobody dealing with him now knows exactly what it is he missed, he can now recognize the two letters but he misses some of the other skills that were built on that recognition earlier. And it's a very difficult thing to go back and find out about."

Not only is it hard to diagnose the causes of a learning problem later, but the earlier period when certain skills are best learned may have passed. Moreover, when young children start off badly in school they begin to think of themselves as "losers," an attitude that is hard to change and that has "a profoundly negative effect on learning."

B. Impaired Learning Progress

The poverty conditions that cause poor children to start school behind their middle-class counterparts in learning readiness widen the gap in later school years. Compensatory education is unavailable to many in the early grades, but even where it has been provided the adverse conditions producing the original deficits usually still persist. Witnesses who work with slum chil-

dren described children who come to school hungry; without adequate clothing or medical care; children who never play outside because the streets are so dangerous; children abused and abandoned; and children who have witnessed beatings and even murders in their own homes. Children who live in such surroundings start the school day unready for learning. As the assistant director of mental health services in Rochester testified:

> "We have children coming to the school without adequate breakfasts. We have children coming to the school without adequate clothing. We have children coming to the school out of home situations where there is a tremendous amount of stress which is a byproduct of the poverty and the stress that parents themselves feel as they try to meet their everyday survival needs.
>
> ". . . the child comes from a home situation where there is a great deal of stress going on, . . . with anxiety, with preoccupations, with all kinds of these internalized problems, which makes it very difficult for the child to shake off these problems and then become involved in the school environment, in the demands that are made upon him in a classroom."

"We're always amazed," Dr. Eugene Reville, Superintendent of Schools in Buffalo, observed, "considering some of the conditions some of the children are living in, that they function at all in school. And, of course, they have difficulty functioning in the regular subjects because of some of the problems they're experiencing in the home." Francisca Salomon, a guidance counselor in the south Bronx, agreed:

> "The job of a guidance counselor gets much more complicated when you are in a poverty area like the area where I have been working because there are a lot of housing problems, there are buildings that have been burned from one day to the other.
>
> "Children live in very bad tensions in the home because many times they live with only one parent, or if there are the two parents, there might be fighting, alcoholism or drugs involved. In other words, either one of the parents might be involved in drugs. . . .
>
> "Children come to school and they are not prepared to come to learn because at night they have been hearing and listening to fights between the parents or either the mother or father has abandoned them. . . ."

Even apart from obviously pathological situations, the circumstances of many lower class homes are not conducive to school achievement. Crowded, noisy apartments provide no place for homework:

> "Just think, there are homes where there is no bookshelf in the home where the child can have books, you know, to even put his own school books.
>
> "I visit the homes and the kid comes home and there is a cardboard carton

that is labeled with his name, and he takes his books and puts them in the cardboard carton and shoves it under the bed, and as the other brothers and sisters come home, they do the same thing."

Ronald Paige, a family assistant in the College Board program working at the DeWitt Clinton High School, described situations like that of a student living with five other members of his family in three rooms, whose parents would not let him out at night to study elsewhere; another could not study at home because his parents were raising chickens and other animals in their apartment.

Poor families also move frequently, which disrupts learning and school relationships. One study, which found that children on welfare in Manhattan had had more addresses than children in a cross-section of the population, observed also that a high number of addresses for a household predicted delinquency, fighting, and impairment in school functioning for the children. The very poorest families studied had made as many as 15 moves in five years. Accordingly, turnover within the schools, especially inner-city schools, is very high. Students in the poverty-ridden south Bronx move frequently because their buildings are burnt out or demolished. In Rochester overall, 44% of those enrolled at year's end had not been enrolled in the same school at the start, and the rate was as high as 79% in some inner-city schools. In one kindergarten class, 32 of the 52 children who started the year had left and been replaced by others, sometimes more than once. In one school in Buffalo, 25% of the children transferred out last year and only 38% of the children who had started first grade remained by the fourth. In contrast, witnesses described suburban classes that are highly stable, where the arrival of a new child is a rare event.

The high incidence of transiency in the city schools has serious adverse effects on learning. A New York City study found that turnover within schools was closely correlated with high absence rates. Teachers have to get to know new children and their parents, and other staff members frequently have to spend time trying to diagnose their strengths and weaknesses and to place them appropriately. Changing schools disrupts instruction, because children frequently find different texts and methods of instruction at the new school and cannot follow the planned sequence of the program; students who do not follow a regular sequence have the lowest level of achievement and skills.

Moreover, inner-city children typically do not receive the con-

sistent encouragement and assistance in school that middle-class children do. Witnesses familiar with inner-city homes testified that many of the parents care deeply about their children's education and have high expectations for them, but lack the means to help them. Some leave children with neighbors or relatives all week while they work, or work evenings and have little time to spend with them. Many had negative school experiences themselves, and fear or resent the school or lack the skills and confidence to help their children. They have no time or money to offer their children trips and cultural enrichment, and the children's experiences therefore tend to be narrow. Witnesses described children who had never seen a pumpkin or visited the zoo, who had never even been outside their own neighborhood. Some children may work 35 or 40 hours a week to bring in money for basic necessities, leaving no time for study, let alone cultural enrichment.

The deprivations of home support are exacerbated by the entire atmosphere in many inner-city neighborhoods. Where most of the residents are poorly educated and hold low-status jobs or are unemployed, there are few role models to encourage children to aspire to education for higher status jobs. Peers may disparage school and school achievement and encourage or even compel truancy, disruptiveness, and gang involvement. An inner-city boy described by a Syracuse social worker was subjected to intense pressure by his friends to drop out of an accelerated math class. The environment is inimical to academic achievement:

> "The youngsters themselves are socialized to the facts of life that they see around them. They are socialized to poverty; they are socialized to want; they are socialized to kinds of behavior that you or I would not approve of; they are socialized to gang activities. . . .
>
> "The minute they step out of school they run into a kind of cultural downdraft where everything becomes different, where the norms are different, the attitudes are different and the values are different.
>
> "Again, that cannot help but affect the extent to which they learn."

City poverty produces not only a general climate antithetical to learning, but impairs the climate inside the schools, which is closely associated with behavioral problems. Disruptive children were described as one of the most pervasive problems in the New York City schools, partly because they act as catalysts and foster additional problem children. Children acting as weapons carriers for gangs have appeared at school with revolvers and hatchets. Older children who invade lower schools and outside intruders

further disrupt learning. Inner-city administrators and others described severe problems of burglaries, vandalism, and intruders who abuse students and teachers. Discipline often becomes by necessity the teacher's chief preoccupation.

New York City Deputy Chancellor Gifford, as well as Dr. Thomas S. Langner, Professor of Epidemiology, School of Public Health, Columbia University, a specialist in social psychiatry, attributed these problems in part to lack of parental supervision. Dr. Edwin Weeks, Superintendent of Schools in Syracuse, testified that 85% of the students appearing in superintendents' hearings preceding suspension for behavior problems come from one-parent families.

C. Impaired Mental and Emotional Health

Poor children in the cities suffer from more mental and emotional disorders than children elsewhere, with consequent severe impact upon learning. The resources that could make their problems manageable are so scarce that help is available only if an emergency erupts, and sometimes not even then.

Dr. Thomas Langner has conducted a comprehensive study of the incidence and environmental causes of impaired mental health among city children. The subjects of his study were a sample of children on welfare in Manhattan and a comparison cross-section of Manhattan children; a sister study covered another cross-section in Westchester County. The study concluded that welfare children in New York City "suffer more stresses in the environment, that they show greater impairment, and . . . need more supporting services to succeed, or even in fact to stay in school at all." It was factors correlated with welfare status, such as income, education, job skills, family size, and loss of father, not welfare status *per se*, that proved significant. Dr. Langner stated this his New York City findings are fully applicable to other cities in the state with similar demographic and social characteristics (analysis of the sister study in Westchester County showed the same relationship between poverty and impairment), and that the factors predicting mental disorders were more prevalent in an urban environment.

The part of this study that rated the children's mental impairment revealed dramatic differences by socio-economic status. Only 4.5% of children in Westchester County suffered marked or severe impairment; but 13.5% in the Manhattan comparison

cross-section and 23.1% of the Manhattan welfare sample needed immediate psychiatric intervention. The welfare children not only needed treatment more, but were less likely to be referred for it. "Marked impairment" and "severe impairment" are categories of children in need of immediate psychiatric intervention, on an outpatient and inpatient basis respectively. At the other end of the impairment scale, Dr. Langner would not attribute significance to the difference between the welfare and Manhattan cross-section samples, because "wellness" is not well-defined and the difference was small. He believed that the difference between both Manhattan groups and the Westchester County sample was significant, however, because *six times as many* suburban children were rated "well."

Dr. Langner's analysis further shows that over a 10-year period observable characteristics of the parents and of the parent-child relationship predicted 60% of the children's behavior. Six of the eight most powerful predictors of pathological behavior, such as delinquency, regressive anxiety, and impairment in school functioning, were more prevalent among the welfare families. Families in the welfare sample moved more often and had more children, both of which predicted impairment of school functioning. Physical or emotional illness of the mother, more prevalent among the welfare group, was correlated with fighting and regressive anxiety among the children. Thus, Dr. Langner concluded, there is not only "more pathology in the [welfare] children, but we notice an excess of the stressors which seem to produce this pathology in lower socio-economic and welfare families."

A third part of the Langner analysis sorted children with similar characteristics into "profile types" and determined the percentage of children within each type rated as markedly or severely impaired. Over 40% of the children were so impaired in certain "pathological" profile types. While 53.4% of the welfare children belonged to "pathological" profile types, only 10% of the Manhattan comparison group had such characteristics. Dr. Langner explained that all of the "pathological" types were more likely to have school problems.

Welfare children also suffer, as shown by this study, from a prevalence of "mentation symptoms" (e.g., reading difficulties, thinking slowly, memory problems) that have "a special detrimental effect on children's functioning in school." Many thousands of children in New York City suffer mentation difficulties,

and poor children suffer them most. Mentation symptoms are most severe among welfare children. Among non-welfare children they occur in inverse proportion of the mother's level of education. For example, 35.7% of those whose mothers were on welfare had reading difficulties. Among families not on welfare, 6.8% of children whose mothers had a college education had reading difficulties, compared to 17.3% of those whose mothers had a trade or high school education, and 27.5% of those whose mothers had not gone beyond the eighth grade. Welfare mothers have far less education than other mothers, and New York City welfare mothers have less education than welfare mothers elsewhere in the state. Thus, given the large number of welfare children in New York City, the low level of their mothers' education, and the kind of mentation difficulties associated with these factors, the city schools can expect widespread and severe academic problems.

The testimony of many other witnesses supports the close connection between urban poverty, impaired mental health, and school problems. Dr. Stephen A. Richardson, Professor of Pediatrics and Community Health, Albert Einstein College of Medicine, Yeshiva University, a specialist in mental retardation and intellectual development, testified that IQ is positively correlated with socio-economic status. Borderline retardation and lower IQs, which means children with "very real problems and difficulties in school," were closely associated with unfavorable social and economic circumstances such as deteriorated housing, large families, depressed neighborhoods, and low income. Within the low-income group that Dr. Richardson studied, lower IQ was more likely to occur in crowded living quarters, undesirable housing, and large families. He added that he had "reviewed every study that is in existence" and they all found that "the lower down you move on the socio-economic scale, the more highly frequent you find mental retardation and lower intellectual functioning;" the studies have found the same influencing factors—impoverished circumstances and slum conditions. Inadequate medical care and family breakdown are additional contributing factors.

Witnesses who work in the city schools attested that mental disorders among school children are indeed pervasive, and largely attributable to the environment of urban poverty. Social workers and counselors had far more formal mental health referrals among lower income children. Dr. Alfred Gelerinter, Assis-

tant Director of Mental Health Services for Rochester schools, found that, compared to Rochester children, children in the Rochester suburbs with which he was familiar and in Tompkins County, a prosperous upstate rural area where he had worked, had less intense problems and much less need for school mental health services. He attributed the urban children's mental health problems to the high stress, material deprivation, and anxieties caused by poverty.

Children with severe mental and emotional problems learn poorly, if at all, and many are disruptive or even violent. Evelyn Castro, staff developer in the Follow Through program at P.S. 243 in Bedford-Stuyvesant, described one little girl, Lisa, who had been in six different first-grade classes and was suspended at the age of six for throwing a chair at a teacher. In the second grade, Lisa proved articulate and able to answer all the questions on the diagnostic test, but had an emotional block to beginning reading. Bernard, who "walked upon his toes all the time" and "always had a kind of disoriented look," knew that Halloween began with the Druids in England and that "celestial instrument" refers to the harp, yet was an academic failure. He had been abandoned by his mother, and psychological testing showed that he thought of himself as "a problem to everybody," "a baby monster." Another witness, who teaches fifth and sixth grade on the edge of the inner city in Rochester, told of coping daily with hyperactive, disruptive children. One of them, who is big and hostile and feared by the other children, has knocked her to the ground. Another, whose mother is extremely protective and will not let him play outside, is so hyperactive that he is incapable of sitting at a desk and working. Two Chinatown children described at trial, 12-year-old Jeffrey and his 14-year-old brother, have to run their household. An uncle who lived next door had looked after the family, but he died during the year and the two children were left to distribute his effects, arrange his funeral, and care for the smaller children. As a consequence of such stress Jeffrey came to school unable to concentrate, alternately depressed and acting out destructively with other children.

Some children come to school totally unable to function after being molested, beaten, abandoned, or shifted from one home to another. These children cannot be educated at all unless someone deals with their immediate crises, and often it is only the school staff that is available. Bronx guidance counselor Francisca Salomon testified about children like Anna, who lived with a cousin

because her mother was in prison. She was raped by her stepfather, who had a venereal disease, then was taken to the hospital but received no therapy because her cousin, who spoke no English, could not communicate with the doctor. Through the intervention of Mrs. Salomon, she was hospitalized for two months and given therapy. Neftaly, who would not stop crying, was beaten black-and-blue and afraid that his mother would kill him for letting Mrs. Salomon know it. He had to be placed in a children's home and assisted through court proceedings to have him removed from his mother's custody. Carolyn Bowman, a Harlem Follow Through social worker, testified at trial that she works "daily" with children who threaten teachers. After she had stopped one who was about to hit a teacher with a trash can, she learned that his mother (a drug addict) had disappeared, leaving him with a neighbor. She had to contact the neighbor, counsel her, and arrange for her to obtain welfare assistance for the child so he would not be placed in a foster home and could remain in the Follow Through program at the school.

D. Impaired Physical Health

School children in the cities are more affected by impaired physical health than suburban children, and as a consequence their school achievement suffers. Poor children have two to three times as many traumatic injuries and sick days as more affluent children. As attested by Dr. Roy E. Brown, Associate Professor of Community Medicine and Assistant Professor of Pediatrics, Mount Sinai School of Medicine, poor people unquestionably have greater health and medical problems than the more affluent, and this finding is "more apparent in young children, in school children as well as preschool children," because "the most vulnerable groups in any poor group . . . are . . . the young children."

The prevalence of medical problems among the poor shows up in several indices. The incidence of restricted activity and bed disability increases steadily as family income decreases, and jumps sharply at the level of $5,000 per year or less. Persons whose family income was under $3,000 were sick in bed almost three times as many days in 1971 as persons whose family income was over $10,000. The number of people suffering chronic conditions that restrict activity likewise increases as family income decreases, and the most severe limitations exist among those with

the lowest incomes. Twenty-nine percent of persons with family income under $3,000 in 1969-70 had some limitation on activity, four times the number (7.2%) of those whose incomes were over $10,000. The differential was smallest (4.2% versus 2.5%) where the limitation did not affect ability to work, keep house, or go to school. It was greater where ability to carry on these activities was affected (14.7% versus 3.9%), and greatest for persons disabled altogether (10.2% versus 0.9%). A person in the lowest income bracket was 11 times as likely as one at the $10,000 level to be totally unable to work, keep house, or go to school. Low birth weight is two to three times as common among poor infants, because they tend to be borne by women who are adolescents, ill, without prenatal care, or in other categories more common among poor women; low-birth-weight children are more susceptible to illness and, on the average, do not perform as well in school.

Among the specific medical problems that Dr. Brown and other expert witnesses found to be disproportionately prevalent among poor children are untreated dental decay and loss of teeth; uncorrected bad eyesight; hearing problems, including untreated deafness; speech and voice problems; nutritional deficiencies (including overweight, which leads to other diseases), causing failure to thrive and anemia; child abuse; and lead poisoning, which occurs when bored or hungry children eat paint in old tenements that have not been repainted. Slum children are thus far more subject to illness and so are more often absent, and less able to perform when present, because hearing, vision, and other physical impairments prevent participation and even comprehension in class.

Poor chiddren are not only more susceptible to illness and accident because of their environment; they also receive inferior medical care. Infant mortality rates (a common health-care index) are higher in the four cities than in their suburbs, and two to three times higher among poor people generally. The national infant mortality rate is 18 per thousand overall, but 40-50 per thousand among the poor. New York City's neo-natal and infant mortality rates are 20%-120% higher than in the surrounding counties, while the upstate cities' rates are 50%-90% higher than those of their suburbs. Immunization rates, another index, are lower among poor children. In Buffalo and Rochester, for example, 20% fewer children than in the suburbs enter school with the required innoculations. Buffalo's innoculation percentage was in the 60s

and was raised to the 70s through school innoculations, while its suburbs had over 90%. Seventy-two percent of the children in Rochester are immunized, as contrasted with 90% in the rest of Monroe County.

Dr. Brown enumerated the reasons the poor receive inferior medical care: fewer providers of health care (nationwide there are typically 750-1,000 people per doctor, but in Harlem there are over 20,000 per doctor); difficulty of access; complex and fragmented organization of treatment in clinics and emergency rooms; communication difficulties arising from differences in language and culture; and lack of follow-up by patients, because of the complexity of the health care delivery system and their own lack of money and education. Severe hearing problems, for example, have gone unidentified for years because a child is not seen regularly by a pediatrician and the family does not recognize the problem. Even the care that impoverished children do receive takes longer. A school nurse estimated that it takes from six months to a year on the average to get glasses for a child in her inner-city school. A double loss is imposed on the children affected because on top of the disability imposed by the as-yet-untreated problem, they miss hours of school awaiting treatment.

E. Handicapped Children

A higher incidence of handicapped children is another severe and steadily increasing overburden of the city school systems. Both as a matter of practical necessity and of state law, costly special education services involving large numbers of specially trained personnel are required to educate these children. Yet even as the number of their handicapped children swells, the cities' capacity to provide these services is diminishing.

By any measure and in every category, the intervenor districts have far more than their share of handicapped school children. With 35.8% of the state's total enrollment, the intervenor school districts have 55.1% of the severely handicapped children and 52.8% of children with handicapping conditions. (Severely handicapped children are those who receive special services aid from the state, including the trainable mentally retarded, deaf, severely crippled, severely emotionally disturbed, and multiply handicapped. Children with handicapping conditions are those other handicapped children who are double weighted for purposes of state aid.) Suburban comparisons emphasize the extent

of this overburden. The percentage of handicapped pupils in each of the city school districts far exceeds its share of metropolitan area enrollment. For instance, Syracuse, with 26.4% of Onondaga County's enrollment, has 58.6% of its severely handicapped pupils; Buffalo accounts for only 28.4% of Erie County's public school population, but 48.7% of the non-severely handicapped pupils.

Marked increases have occurred in the cities' handicapped special education population and burdens in recent years. In the last decade the number of students in special education programs in New York City increased from 24,000 to 41,000. Dr. Helen Feulner, Director of the Division of Special Education and Pupil Personnel Services in the New York City public schools, testified that the "typical handicapped child 10 years ago . . . was an educable mentally retarded child . . . A typical handicapped child today in New York City has at least two handicaps." The city now has 17 classes for children who are both profoundly deaf and mentally retarded; most children in the city's multiply-handicapped centers have three or four handicaps and secondary emotional disturbances. "These are the kinds of children we did not see in school 10 years ago, and certainly were unheard of when I started teaching," Dr. Feulner testified. She attributed the increase in part to medical and educational trends that permit the survival of more children with birth defects and encourage the deinstitutionalization of the handicapped. In addition, the number of poor children in the cities has increased dramatically in recent years and many handicaps arise from conditions closely associated with poverty—such as lead poisoning, malnutrition, birth defects caused by drug addiction, and lack of prenatal care. Moreover, handicaps are often exacerbated by lack of regular medical attention as well as nutritional deficiencies, excessive noise, etc. Accordingly, the increase in poverty students in the cities has been paralleled by an increase in the number of handicapped pupils. Screening at seven schools in the south Bronx, where almost all pupils live in poverty, consistently found 20% of the first graders in need of special education instruction.

A comprehensive demonstration of the connection between poverty and the incidence of handicaps was provided at trial by Dr. Stephen Richardson, the specialist in mental retardation and intellectual development. Dr. Richardson's study was conducted in Scotland because records and access were complete for the entire population of children. He testified that the incidence of

mental retardation in Aberdeen was "a very conservative estimate of what one might find in New York City" where there are additional factors, such as family breakdown and unemployment, which other studies have shown to contribute to mental retardation, and that his findings can be generalized to cities in New York State to the extent that the conditions contributing to mental retardation exist there.

Among the children studied by Dr. Richardson, mental retardation consistently increased as socio-economic level went down; it was 10 times as prevalent among children of unskilled workers as among children of professionals. It was the incidence of mild mental retardation that accounted for the differences among socio-economic groups. While severe retardation occurred evenly among groups, not a single affluent child studied was mildly retarded. Moreover, within the lowest socio-economic group, the progression from normal, to borderline, to mildly retarded corresponded with the progression toward the least desirable housing, the most crowded living quarters, the largest families, and the least skilled mothers. Thus, unfavorable living conditions seem strongly to influence the occurrence of mild mental retardation.

Other studies have found correlations with the same poverty factors. Statistics provided by Buffalo School Superintendent Reville illustrate Dr. Richardson's conclusions. With less than half the school population of the neighboring suburban Board of Cooperative Education Services (BOCES) district, the Buffalo city school district has over three times as many classes for the mildly mentally retarded: 113 classes compared to the BOCES district's 34.

Not all the cities' handicapped children appear in the classifications just reviewed. Thousands more have learning disabilities and speech and language handicaps that do not entitle them to state aid but severely impede their academic performance. Speech impairments such as cleft palate, stuttering, and cerebral palsy affect over 17,000 children in New York City to a degree that professional diagnosticians consider severely handicapping, and many thousands more are handicapped by other speech impairments. Since speech disorders are connected with deprivation, birth defects, poor medical care, and other factors associated with poverty, a disproportionate number occur among city children. According to Dr. Bernice M. Kipfer, New York State Assistant Commissioner for Education of Children with Handicapping

Conditions, who testified for the defense, "[d]eprivation, low socio-economic conditions, foreign born, high incidence of medical disabilities" are found in the literature to affect the incidence of speech disabilities. In addition, deafness, severe emotional disturbance, mental retardation, and many other handicaps (which are disproportionately frequent in the cities) often are accompanied by speech and language handicaps. Dr. Kipfer stated that when she worked in Syracuse "almost all of the multiply-handicapped children that we served in addition had severe speech handicaps."

Various "learning disabilities" present further impediments to the education of an estimated 10% to 30% of New York City school children. These are inabilities to acquire or use specific skills, caused by minimal brain dysfunctions that prevent a child from seeing or hearing certain things normally. According to Dr. Feulner, learning disability:

> "refers to children who demonstrate an educationally handicapping condition characterized by one or more deficiencies in reading, writing, spelling, arithmetic, and written and/or oral language. Such deficiencies are manifested in an inability to receive, organize or express information essential to functional participation in a regular class program. These deficiencies are not primarily due to physical, mental or emotional handicaps, nor are they due primarily to cultural, economic or environmental disadvantage."

This disability is not recognized as a handicapping condition by New York law and no state definition has yet been released, but Dr. Kipfer characterized the above definition as generaly acceptable in the field. Learning disabilities do not arise from retardation or other handicaps but from an inability to process normally information in the brain. Learning disability children typically manifest a discrepancy among skills.

Children were described at trial, for example, who could copy only one letter at a time from the blackboard because of poor eye-motor coordination, or who read at primer level in the sixth grade because they could not recall for more than a few seconds the sound that a letter represents. In addition to their scholastic problems, children with undiagnosed or untreated learning disabilities frequently develop emotional problems from continuous frustration and failure in school, disturbances that may outlive the original disability itself and leave the child impaired.

F. Foreign Language Children

Masses of children in the city schools—particularly in New York City—speak and read little or no English. Most of the children in the state who are not native speakers of English and have significant English language difficulties reside in New York City. Tests administered to foreign language-speaking students in 1975 and 1976 show that 100,000 to 110,000 New York City students are unable to participate in school effectively in English. The Fleischmann Report estimated that in 1970 in the New York State public schools, 160,000 students had significant English handicaps and 85% of them were in New York City. The upstate cities' share of students of foreign origin is far in excess of their share of enrollment. The three upstate cities plus Yonkers had 7% of the state's enrollment outside New York City in 1974-75, but 13% of the American Indian and Asian students and 21% of the Spanish-surnamed students. Their proportion of Spanish-origin children has increased dramatically—by 50% to 150%—in the four preceding years; Rochester, for example, had 4.1% Spanish-surnamed in 1970-71, but 7.3% in 1974-75. Dr. John Franco, Superintendent of Schools in Rochester, noted that in addition to the 8% Hispanic enrollment in Rochester, the city has experienced recent influxes of Vietnamese, Russian Jews, Greeks, Turks, and Italians.

The students without facility in English are not only numerous but diverse in national origin and language. In New York City they speak between 30 and 40 languages, including Spanish (98,913), Chinese (6,183), Italian (4,147), Greek (1,770), French (3,747), and such languages as Albanian, Russian, and Vietnamese. Moreover, the composition of the foreign language population is constantly shifting, according to Herman Lafontaine, Executive Administrator of the Office of Bilingual Education at the New York City Board of Education:

> "[T]he biggest influx of students coming from outside of the mainland obviously was that of the Puerto Rican students in the late forties, early fifties, . . . [b]ut since then we have had other groups as well. The Cuban refugees in the late fifties, early sixties. We have had students from Chile, from Ecuador, Argentina, Dominican Republic. . . . Lately we are getting the Vietnamese refugees; Russian Jews are coming in.
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> "'So that it is almost unpredictable as to where our next wave of students is coming from, but it seems to be a fairly steady pattern that we always get significant migration of students from other countries."

This appears to be a function of New York's being a major port city. Dr. Robert Alioto, Superintendent of City and County Schools in San Francisco, testified to similar problems in San Francisco, where the school district offers special instruction to students in 29 different languages, including major bilingual programs in Japanese, Chinese, Tagalog, Spanish, and Samoan. Documents for parents are reproduced in four major languages. Major influxes of students in ethnic groups new to the city, like Samoan, Vietnamese, and Philippino, are a recurring phenomenon.

Many immigrant children bring scholastic difficulties in addition to linguistic problems. The principal of P.S. 65 in Chinatown, which is inundated with immigrant pupils, described "clean slate" children—non-speakers of English who enter junior high totally illiterate in their own tongue and so have to be taught elementary as well as junior high skills. The school has Dominican pupils with a limited Spanish vocabulary who do not know the alphabet or numbers in any language.

G. Vocational Education Students

The cities have the state's highest concentrations of vocational education students, constituting a major overburden because vocational education costs hundreds of dollars a year more per pupil. New York City has almost 30,000 students in vocational programs, a higher proportion than any of the surrounding counties. The percentage of high school vocational enrollment in the three upstate cities runs two and three times that of their suburbs. Rochester has 27% of grades 9-12 in vocational programs, compared to 8% in the rest of Monroe County.

H. Student Absenteeism

High student absenteeism is a big city problem. Among 40 of the nation's largest cities, 37 have lower attendance rates than in the rest of their states. San Francisco School Superintendent Alioto testified concerning San Francisco, where the secondary school attendance rates run as low as 74%, in contrast with his earlier experience in Pearl River, a well-to-do suburb in New York's Rockland County, where attendance had been 94-96%. In New York State, similarly, student absenteeism is far more prevalent in the schools of the cities than elsewhere. The 84% average

attendance rate of the state's five largest cities is almost 10 percentage points lower than the 94% rate of the rest of the state. The cities' high rates of absenteeism have been relatively constant in recent years and are most acute in the secondary schools. For example, in the New York City academic high schools over 26% of the students are absent on an average day. In New York City overall in 1974-75, the average attendance was 83.70%, while its suburbs enjoyed a rate of 93.12%. The average attendance in Syracuse in 1974-75 was 90.72%, while all Onondaga County (including Syracuse) had almost 95% attendance.

City children are out of school for a variety of specific reasons caused or exacerbated by poverty. They have more illness and other physical problems which keep pupils of all ages from attending. A teacher in lower Manhattan described children who were "literally yellowish and green" from roach fumigation, and who became ill because their apartments lacked heat. Further absence results as students seeking treatment at clinics endure long waits and repetitious visits.

Poor students lack hats, mittens, and warm coats for cold weather, and other essential items. In some south Bronx schools, attendance drops as much as 18% or 20% in the coldest months. Elimination of city-subsidized transportation because of the fiscal crisis has further diminished attendance. Funds budgeted for transportation were shifted to provide services for handicapped pupils in compliance with decisions of the Commissioner of Education in *Riley Reid* and *Kathy Kelly*, an example of the kinds of cruel choices forced on city districts by lack of funds. Family transiency, which correlates closely with low attendance rates, also contributes to poor attendance. Mobility is much higher in city schools for reasons associated with urban poverty. Families in the south Bronx, for example, move frequently because of the high incidence of arson.

Home and neighborhood conditions further reduce attendance in poverty areas. According to former New York City Police Commissioner Patrick Murphy, "Truancy is rarely a problem in my experience in the good home, a home that is not burdened with all the problems of poverty, and alcoholism, and fatherless situations, working mothers, and all of these other things." Many poor children lack the parental encouragement to attend which middle-class children receive. Parents may have to leave for work before children leave for school; indeed some have to keep older children home with pre-schoolers when they themselves are sick

or babysitters fail. A New York City counselor described a bright and highly motivated student out of school babysitting while her mother was treated for cancer. Buffalo School Superintendent Reville found an eighth-grade absentee in Buffalo caring for her family in a heatless apartment because her mother, the sole adult in the family, was blind and unable to function.

Children also miss school to accompany parents to clinics because the parents speak no English or fear their returning from school to an empty apartment. Attendance problems are frequently a product of stress, according to Dr. Gelerinter, the clinical school psychologist in Rochester. Stress afflicts poor children disproportionately both because of fear of school demands for which they are ill-prepared, and because of anxiety about what they may find when they return home. Emotional problems related to pathological home situations were cited by other witnesses as a prime cause of absenteeism. Lack of success in school, far more prevalent in the cities, diminishes motivation to attend, according to Joseph C. Hudson, Associate in School Attendance, Office of Urban School Services, New York State Department of Education, and other witnesses. Motivation is further sapped by depressed living conditions and unemployment, and by the ever more limited program offered in city schools.

The process feeds upon itself. Students who have been out are afraid to come back and may give up on catching up. The awareness of being behind is "one of the biggest hurdles that a returning students has to get over." Students who cut school pressure others to do likewise. Absence exacerbates difficulty and failure in schools, which breeds more absence.

Coping with extraordinary rates of absenteeism imposes burdens on the city school systems far beyond those felt by suburban and rural schools. An immediate and direct impact is the heavier cost of attendance services. New York City, with an absence rate in 1974-75 two-and-one-half times that of its suburbs, maintained proportionately three times as many attendance officers. Rochester maintained 13 times as many, and Buffalo six times as many, attendance officers as their suburbs. Yet, the cities still have far fewer attendance workers than are needed.

Heavy absenteeism casts burdens on teachers, not only in additional recordkeeping but also in remedial work. A teacher needs to give extra attention to returning absentees to help them make up work, while continuing to advance the knowledge of others in the class. However, in a large class with many daily

absences, either the returning student must be ignored and often cannot understand what is being taught, or "students who have already learned the lesson have to sit there and repeat it. And so either way somebody has to lose." Witnesses explained that students tend to be absent on an irregular, rotating basis, further upsetting the teachers' planning and complicating the task of revising their instructional strategies.

The ultimate impact of city absenteeism is low achievement and failure. The problems begin as early as kindergarten—one inner-city teacher testified that absence is the most important reason that many of her kindergarten pupils were unready for first grade. Judy Gorman-Jacobs, a seventh-grade teacher in P.S. 65 in Chinatown, described how her junior high students who attended irregularly would miss the steady daily practice required for the sequential development of composition skills and give up in frustration, believing that they could not even write paragraphs. "Absence is the first cause of failure," according to Dr. Abraham Wilner, Superintendent for all the high schools in Queens, and Acting Head of the High School Division in New York City. Schools in Rochester with lower attendance tend to have poorer test scores. Conversely, in two experimental schools, attendance and test scores increased concurrently. Finally, chronic absentees are the most likely to drop out and absence and dropout rates tend to go together.

Absenteeism is traditionally dealt with by attendance officers, but a few overworked attendance teachers alone can accomplish little change in absence rates. Although a concentrated effort in Syracuse raised attendance slightly one year, the same effort in the following year brought no improvement. A study by New York City Deputy Chancellor Gifford found that statistically the ratio of attendance teachers and guidance counselors to students had virtually no impact on the attendance rate. He concluded:

> "the attendance rate is largely determined by factors over which the school system exercises very little or no control: poverty, wealth, turnover, and dependency. And the factor over which we do exercise control, that is our ability to allocate resources for attendance services, influences attendance in a virtually insignificant fashion."
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> "to provide the kind of attendance services that would be necessary to overcome the problems of poverty would just be impossible . . . the socio-economic characteristics just overwhelm any good or any service that an attendance teacher might have on a large group of students."

A defense witness, Dr. Coleman Lyons, Superintendent of Half Hollow Hills School District in Suffolk County, testified that: "We really don't have a truancy problem in the elementary schools at all . . . most of the youngsters genuinely seem to want to come to school. I think our schools generally are very nice places to be. . . ." However, in another school substantially populated by disadvantaged children, where he had been principal, there was an attendance problem. The teachers felt overworked, and the program:

> "was practically devoid of support services. . . . The problems the youngsters had were not solvable within a school setting, whose major intent was focused specifically on academics. . . . Children were not learning not because they did not want to learn but because they did not know how, they had not been taught, they were victims of things outside of themselves, outside of their own setting, and so on, and we did not have the support service that we have today."

Dr. Lyons thought there was no doubt that the support services promoted attendance in Half Hollow Hills.

We turn now to the deleterious effect of urban poverty on public education, demonstrating that city schools are suffering enormous achievement failure rates.

III. The Effect On Achievement

We have shown that city school districts have unparalleled concentrations and numbers of disadvantaged students, who labor under manifold baneful learning barriers and education burdens. The result is that some fail to achieve even basic minimal skills; many more become chronic underachievers who consistently score at the bottom of state and national achievement tests.

A. Students Failing to Achieve Basic Minimal Skills

City scores on the Metropolitan and Stanford Reading Achievement Tests demonstrate that substantial numbers of urban students do not acquire even basic minimal skills. In 1975, in the Gates-MacGinitie Reading Test administered in Rochester, 16% of twelfth graders read at fifth-grade level or below. In each of the last three years, many thousands of ninth-grade students in New York City scored at fourth-grade level or below in reading: 14% of those tested in 1974, 9% in 1975, and 12% in 1976. Indeed, in the 1976 tests, 7% of the ninth graders scored below the fourth-grade level and 4% below third-grade level. And even these levels underestimate the degree of reading incompetence: grade-equivalent scores reflect the level at which a child can read with instructional assistance, whereas his independent reading level is about a year below his grade-equivalent score. Thus a ninth grader who scores at the grade equivalent of 4.5 on the Stanford Reading Test would have an independent reading level of only

third grade. Such absolute education failure is not redressable in high school—indeed, half of the city's entering ninth graders become dropouts.

Some of the remedial reading students at New York City's Charles Evans Hughes High School, according to their teacher, are "totally illiterate." Most others can decode the words on a page but cannot understand them; they do not connect reading with thinking. If the events in a passage are given out of sequence, they do not comprehend their true order. "[B]eing able to tell what came first . . . is a very hard skill for them to master. This shows up in social studies . . . in the literature they read in English . . . in home economics when they have to follow a recipe [or] a pattern. . . . It is a confusion that is evident in all of their school work." The students are unable to use graphs or maps or indexes. The majority have "a very poor conception of geography. . . . They may not know where Europe is on a map. . . . Some of them may not be familiar with the fact that Europe is an area, that it is not a city or a country or a state in the United States." "Their frame of reference is very small, and while they may very well have certain information at hand, they are not used to using it in connection with things that they come across in school." Asked to date a description of cowboys and Indians, they seem to have no basis for choosing between 1860 and 1920. By any rational measure, these many thousands of city students who never get beyond or even up to fourth-grade literacy do not have minimal educational attainment.

B. Students Underachieving and Scoring at the Bottom in Statewide and National Achievement

Beyond the many thousands of city students who never attain basic skills, vastly greater numbers remain seriously restricted in learning and never meet the state's own measures of minimum educational competency. The urban concentration of underachieving pupils is shown by the state's Pupil Evaluation Program (PEP) tests, which measure statewide the reading and mathematics proficiency of third, sixth, and ninth graders. The state uses the results of these tests to determine the percentage of "pupils with special educational needs" (PSEN) for extra state aid, which is "the percentage of pupils scoring below minimum competency." The 1974-75 statistics introduced by the defense show that these pupils are heavily concentrated in the cities: the

four intervening city districts with only 35.8% of the state's public school enrollment have by the state's measure 52.4% of the students who score below minimum competency. They constitute about 50% of the average daily attendance in New York City, Buffalo, and Rochester. According to the state's analysis, the big five cities "had 53% of the State's PSEN's, . . . and received 30% of the payable operating aid. New York City had 47% of the pupils with special educational needs, . . . and received 26% of the total payable operating aid."

An analysis of 1973 PEP test data presented at trial by Dr. Robert J. Goettel, Director of the Educational Finance and Governance Center, Syracuse Research Corporation, shows the dimensions of this school failure overburden. In both reading and mathematics, in all grades the four cities have enormous percentages of students in the bottom three stanines. The average percentage of PSEN pupils in the four cities ranged from 25 to 35 percentage points higher than in the rest of the state. For example, in grade six reading, 50% of the children in the four cities were pupils with special educational needs, compared with 20% in the rest of the state. The percentage in the bottom three stanines is greater and the gap between the cities and the rest of the state wider as the children move to higher grades. In grade three mathematics, 37% of the city children are PSEN compared to 11% in the rest of the state; by grade nine, 60% of the city children are PSEN while only 25% elsewhere perform at this level. The test scores appear in a consistent progression by type of community: suburban districts regularly have the smallest percentage of students in the bottom three stanines, followed by rural districts, then smaller cities, then larger cities, then New York City. Suburban, rural, and small city districts' percentages were low and the large cities' far higher. Moreover, among the students in the state scoring low, far higher proportions of city students are at the floor—the first and second of the bottom three stanines.

More recent PEP scores reported orally at trial show the same concentrations of students in the bottom three stanines: in grade nine, New York City has 53% PSEN students in reading and 60% in mathematics; Rochester has 45% in reading, 58% in mathematics; Syracuse has 42% in reading, 47% in math; Buffalo has 50% in reading, 52% in math.

Nationally normed tests confirm the PEP test results. Michael Beck, Senior Research Psychologist at the Psychological Corpora-

tion, and Coordinator of the Metropolitan Achievement Test, described how national achievement tests are composed and normed and how their statistical reliability is measured. In the Gates-MacGinitie Reading Test administered to Rochester high school students in 1975, the average percentile score ranged from 19% to 20% below the national norm of 50%. Sixty-six percent of the twelfth graders read in the bottom quartile, and 16% read at fifth-grade level or below. In the Metropolitan Achievement Tests in reading given to Buffalo fourth and seventh graders in 1974, over 50% of the students scored in the bottom three stanines (compared to 23% nationally), while only 5% in the fourth grade and 7% in the seventh grade scored in the top three stanines (compared to 23% nationally).

Results of the Metropolitan and Stanford tests in New York City showed the same pattern: concentrations at the bottom of the scores, and few students near the top. Test results in the inner city are even worse. At Charles Evans Hughes High School in New York City, 70% of the ninth graders taking the Stanford Reading Test were two or more years below grade level, and a full 25% were below fifth-grade level.

Dr. Wilner, the acting head of New York City's high schools, described the dilemma of high school education in the city where such severe skill impairments exist among the students. Traditionally, he testified, the first eight grades develop skills and the motivation to study, and the high school develops learning, knowledge, and understanding, using skills already developed. The degree of educational retardation in the cities makes ineffectual the teaching of the traditional substantive high school curriculum. Yet, if high school students are given nothing but more instruction in basic skills, they are not receiving a high school education. Lack of achievement is a problem that thus feeds upon itself. The insidious effects of impaired learning readiness follow the poverty child through school—while he tries to master basic skills, his middle-class counterparts move further ahead of him. The damage is compounded as the school years pass, the gap widens, and frustrations and failures mount. The schools at all levels face the dilemma of "normalization of lower standards of achievement:" ignore the gap and teach ineffectively, or accommodate to lower achievement and no longer offer the education that the children "need to get through junior high and high school and on to the opportunity structure of an industrial society."

The answer to the dilemma posed by Dr. Wilner is expensive—individualization, small classes, intensive support services, family outreach, cultural enrichment, staff development, health services, early childhood education, decent facilities, and a varied curriculum that gives students a reason to learn—in sum, meeting the cities' educational overburdens. A more limited but still somewhat effective approach is targeted remedial education, which has achieved some successes. The common minimum elements of good remedial programs are some individualization, special resource teachers, in-service training of classroom teachers, and guidance services. But such remediation is costly, and the cities are being forced to discontinue even the few pilot programs that showed so much promise.

That reality is reflected in the cities' extraordinary dropout rates. Ten percent of New York City's high school students dropout annually, compared to 3.4% in the rest of the state, and half the entering ninth graders fail to graduate four years later. Buffalo's dropout rate is 13%, and has been increasing in the last five years. At New York City's Charles Evans Hughes High School, only 278 of 819 entering students were eligible to graduate in the twelfth grade, and only 197 of these actually received diplomas. "The great majority," said a teacher at Hughes, "drop out because of academic problems that include poor reading ability, poor math ability, and truancy problems that are tied up with poor reading ability and poor math ability and poor basic skills." To prevent dropping out, Dr. Wilner testified, we must improve the "holding power of the schools by providing programs which are closer to the needs of the young people," programs such as vocational education, innovative remedial services, small elective classes, and athletics. Yet the kind of programs that would increase "holding power" and keep students in school and achieving are precisely those the cities cannot afford.

IV. How Money Can Make A Difference

Despite the magnitude of these problems bred by inner-city poverty and home deprivation, witnesses for both sides generally agreed with New York City Deputy Chancellor Gifford that "with concentration of resources on students with special educational needs, the schools can do a great deal to overcome the tremendous disadvantages that poor pupils have." The basic components needed "to provide the kind of educational experiences that would help poor students overcome their handicaps" are small classes and pupil-staff ratios, continuous in-service teacher training, appropriate curricula, texts and materials, support from counselors, social workers, and others, family outreach, and cultural enrichment.

Meeting the continuing disadvantages of poverty requires heavy extra expenditures by the schools. Expert witnesses generally urged small classes because of the need for individualization. John L. House, Director of the Division of Federal Education Opportunity Programs (Title I, ESEA), New York State Education Department, testifying for the defense, recommended that disadvantaged children in kindergarten though sixth grade be in classes of no more than 12 to 15, and that remedial high school classes have 10-12 students, "certainly not beyond 14 or 15 pupils." Dr. A. Harry Passow, Jacob H. Schiff Professor of Education, Director of the Division of Educational Programs and Institutions, and Chairman of the Department of Curriculum and

Teaching at Teachers College, Columbia University, an international expert in compensatory education, emphasized the need for "individuals who can work and help to provide the one-to-one interaction that these kids need so desperately;" i.e., specialists, paraprofessionals, and tutors, as well as teachers. Assistance inside the classroom is also important, because in any given classroom abilities of inner-city children range widely; the wide range is normal but greater numbers of inner-city children are at the bottom. Teachers therefore need assistants to work in the classroom with the poverty-disadvantaged children in small ability groupings.

Moreover, as Mr. House emphasized, "it is essential for all staff associated educationally with educationally disadvantaged children to undergo continuous in-service training." He defined this as bi-weekly for no less than an hour to an hour and a half for *all* staff. Dr. Passow recommended 20% of a teacher's time. Staff development is important because teacher training institutions rarely prepare teachers for inner-city teaching, and because staff members need to keep up with new materials and methods. Inner-city children need instruction and texts that relate to them and to their special world; i.e., urban-oriented materials that recognize minority group cultures and city life, and curricula that take into account their special strengths and weaknesses, but most school texts and curricula cater to a national market. Urban-oriented texts have only been available for about 10 years (and so must be newly purchased), and supplementary materials and texts for non-English-speaking children are rare and must frequently be developed by the schools and teachers themselves.

". . . [T]he guidance counselor and the others [school psychologists, psychometrists . . . dental hygienists, school nurse, teachers] are key factors in the success of any educational endeavor," according to Mr. House. Support personnel are needed both to instruct teachers how to cope with inner-city classroom problems, and to deal directly with children who have difficulties that only specially trained personnel can meet. Buffalo School Superintendent Reville stated that:

> ". . . in the large city school system, affected by the poverty that Buffalo has, you need the services more than you would elsewhere because the problems that exist—achievement problems, attendance problems, emotional problems, home problems—all these problems are much greater in a poverty area, and because of this we need to have better ratios than they would have in the suburbs and a better ratio than even recommended by the State.

"We had Federal funds, where we were able to have some programs where we had elementary guidance counselors in the various feeder schools, and we again find these programs to be very successful and, in particular, with children who are affected by poverty or educationally disadvantaged. . . .

". . . because the supportive services at home and the advice they can get at home is less."

Direct contacts between schools and parents are necessary to encourage parents to help their children's education, to make them aware that children need a time and place for homework, and to obtain their cooperation in getting absentees back to school. Building such home support requires staff time for outreach activities, including home visits (many poor parents lack telephones, or even mailboxes). Workers have to make home visits on weekends or evenings when parents are home, and must often travel in pairs for safety. Getting parents active in the school is even more difficult. At P.S. 65 in Manhattan, for example, there are only 16 active parents from a student body of 1,710. At another school near Harlem, of 280 families only 40 are active and they are the middle-class parents. Despite strenuous efforts by the PTA, poor parents do not participate. Poor parents have been brought into some inner-city schools, but only through concentrated efforts by determined family workers and other staff members, or by paying them to work as aides. Because most inner-city parents are themselves minimally educated, in order to work as aides or volunteer tutors they must receive training from the school staff.

The very limited remedial education now offered in the cities is financed with a mix of federal, state, and local funds. But the 0.25 state weighting for PSEN pupils with special education needs, applied to the below-average per pupil aid for the cities, provides the city districts only minimal monies. Although federal Title I money has paid for some remedial services for city children, assistance has reached only a fraction of those in need and frequently only in one of the areas of the students' learning difficulties. Diminishing federal allocations have recently necessitated drastic cutbacks in Title I programs in all the cities.

Within a district, Title I funds are concentrated in "target" schools that have more disadvantaged pupils than the district average, and even a child with the greatest need receives no Title I services if he is not in a Title I school. Thus the cutoff point for Title I schools varies by district. If a suburban district had a district average for determining target schools of 15% disadvan-

taged, and a city had one of 35% disadvantaged, an educationally disadvantaged child at a school with 25% disadvantagement would receive Title I remedial help in the suburban school but none in the city school. According to Mr. House, the four cities have the state's highest proportion of educationally disadvantaged students attending non-target schools. Mr. House also testified that 1974 formula alterations worked to the detriment not only of New York State relative to other states, but to cities within the state relative to other jurisdictions. The consequence was successive cutbacks of 15% in absolute dollars in all the intervening cities in each of the last two years.

Thus, greatly inadequate remedial resources are being further diminished in the cities. In New York City, some 151,000 pupils eligible for Title I services do not receive any. In the high school division, only 65,000 of the 90,000 eligible received Title I services in 1976, and these not for the full range of their needs because most received remedial help only in one subject. Title I teachers in New York City's high schools are being reduced this year from 890 to 509, guidance counselors from 110 to 76, and paraprofessionals from 939 to 557. Even at the peak of its Title I funding, Buffalo served only one-third to one-half of its disadvantaged children in target area schools. Because the funds have been cut almost in half, the schools have been compelled to choose between offering a child remediation in reading or math, but not both. Last year they served 4,790 children in reading, half the number identified as needing it, and this year are serving only 3,000. The city has never been able to provide remedial services of sufficient concentration in grades four through eight or the high schools for more than a few children. Rochester, which once provided a few remedial programs in the secondary schools, now has none at all. Summer and evening schools, which enabled failing students to catch up, have almost been eliminated. It is thus clear that neither the very small and unfairly restricted state PSEN supplements to the city districts nor the limited and diminishing federal aid can meet the enormous education overburden of the city schools.

Meanwhile, the underachievement and educational failure of the students remain a tragic default on our commitment to public education. We turn now to consider how money can help to remedy the specific learning barriers and alleviate the education burdens described in Chapter II.

A. Impaired Learning Readiness

The lack of learning readiness in the city schools is severe, but it can be remedied. The most effective way for the schools to cope with impaired readiness is through pre-school education and follow-up programs. Early intervention may prevent academic problems from developing, obviating the later need for expensive diagnoses and remedial instruction. Compensatory pre-school education usually has immediate positive effects. If the children receive continued compensatory education, these gains are likely to be maintained.

Witnesses described several effective pre-kindergarten programs available to a limited number of children in the intervenor school districts. In a Syracuse experimental pre-school program, 650 children receive comprehensive services because, as the director put it, "the child is not going to learn at his maximum unless he is nutritionally well-fed, unless he is physically fit, unless he has learned to cope with his feelings, unless he is able to listen, to attend to what is happening, unless he has had experiences . . . outside of his immediate community" that enable him to understand what is taught. Teachers make home visits and parents participate so they can provide a home environment that will promote continued learning after pre-kindergarten. The program costs about $1,100 for a half-time daily intervention per child during the school year. Even without further intervention, the participating children score as well or better in math and reading as other children in Title I schools, though they were initially selected for pre-school because they were least likely to succeed.

Parents in the program, including witness Carol Pickreign, welfare mother of three children and a school volunteer who is very active in the parent group, believe that it has meant the whole difference between school success and failure. In many families all the older children, who had not had the pre-kindergarten experience, had to be placed in special classes, whereas younger children in the same families who were in the pre-kindergarten program are able to function in the mainstream. The benefits of following up on pre-school instruction were also illustrated by a related Syracuse project in which teams of professionals worked with the kindergarten teachers of children who had participated in the pre-kindergarten. These children began kindergarten at the 65th percentile among low-income children,

and finished in the 90th percentile. But this project was funded for only one year; state funding for the pre-school program itself has decreased, city funding may prove impossible, and efforts to find private funding have been unsuccessful. Although the program reached only a fraction of those who need it, it now serves even fewer children.

Similarly, the Early Push program in Buffalo's inner-city schools is expensive but has been highly successful as measured by reading achievement and readiness testing. Although Early Push has always had waiting lists, budget shortages have forced cutbacks of one-third in each of the last two years. Another example is the pre-kindergarten program in District 8 in the south Bronx. Participants tested two years later have scored as much as 56% higher in reading than non-participants. But this program will probably be eliminated because the district cannot afford even the 11% of the total cost that it now contributes.

Compensatory education in the primary grades has proved equally expensive but effective. Follow Through, financed as an experiment by federal funds, provides comprehensive services to children in kindergarten through third grade at an annual additional cost of $840 per child in New York City. The staff typically includes staff developers, family assistants, nurses, social workers, and paraprofessionals who deal with the child's physical and mental health as well as his schoolwork. The nurse makes sure, for example, that children who cannot see properly obtain glasses and that children with perceptual problems receive therapy. To overcome the problems associated with lack of home support, a family assistant helps involve parents in the school and their children's education. Social workers try to alleviate behavioral problems stemming from absent parents, learning disabilities, abandonment, and child molestation and abuse. Test scores from New York City show that at most levels children in Follow Through read significantly better than predicted from their earlier test scores, and that children in the program for the full four years scored significantly better than those in the program a shorter time or not in the program at all. Thus, Dr. John Pincus, director for education and human resources at the Rand Corporation, Santa Monica, California, testifying for the defense, agreed that "there have been some really remarkable results from Follow Through" and that there is "[n]o question" that Follow Through resources, if properly used, can show significant results for children.

Another successful early-years program, now eliminated by budget cuts, was Continuous Progress Education, a reading-oriented ungraded program in Buffalo in which children moved at their own pace. Classrooms had 20-25 children, grouped to learn reading by four or five different methods. The approach required individualized diagnosis and instruction, detailed recordkeeping, and extensive continuing in-service training of teachers. This investment paid off in PEP test scores, which rose from the 18th or 20th percentile to the 62nd or 64th. This program also had special transition procedures for coping with high family mobility. Staff members contacted the new child's prior school, administered tests, placed him, and worked him into the new classroom individually.

Although these programs show that compensating for impaired learning readiness is quite feasible, the effort to do so for the enormous numbers of readiness-impaired children in the cities faces formidable obstacles. The common elements of the effective programs are individualization, small classes, intensive support services, in-service training, and encouragement of parental involvement—all of which require many additional and trained personnel that the cities cannot afford. The number of disadvantaged children needing pre-kindergarten help greatly exceeds the number served.

The ordinary curriculum of kindergarten and primary grades simply cannot overcome the problems of children living under the pressures and deprivations of urban poverty. For such children, no teacher with 27 or 30 in a class has time to fill the gaps. It is thus not surprising that of the children in the five kindergarten classes in Mrs. Swanton's school in Rochester, 17 were to repeat kindergarten; 20 were to receive a special pre-first-grade course; and 110 were to enter first grade, even though only half of them were ready. And inadequate as it is, even the regular school program is shrinking. The field trips that provided the only experience outside their neighborhood that many Rochester children had are being dropped; Buffalo is being forced to eliminate kindergarten itself, and at least one community school board in New York City is seriously considering the same step.

In sum, the deprivations of poverty which cause lack of learning readiness can be overcome by compensatory programs. But the programs are expensive, and the cities lack the funds to provide them to the enormous numbers of young children who need early help. Without it the inner-city child is likely to fail to

achieve education for, as we have shown, the poverty impediment to learning will only worsen as children who do not receive needed help progress to higher grades in the city schools.

B. Impaired Learning Progress

To redress grave underachievement problems, city school systems have concentrated resources on improving reading and mathematics performance, and at the primary levels they have had some successes. Buffalo's Year-of-Reading spent over $1 million to employ reading teachers in each of the city's 80 schools, to hire substitutes while classroom teachers received training, and to buy materials. The percentage of third-grade children in the bottom three stanines in reading decreased from 47 in 1972 to 28 in 1975; in math from 34 to 20. Sixth-grade scores improved by 10 percentage points. Buffalo School Superintendent Reville stated that he is "convinced today that we do know how to teach reading and that we do the job, if we have the funds to do it." But the funds are disappearing. Federal Title I funds that financed much of this effort have dropped from $9.8 million to $5 million, and Buffalo's remedial programs serve fewer children every year.

Rochester also concentrated on reading resource teachers and labs. High school reading levels improved by six months and 1975 PEP scores in the third and sixth grades improved by seven to 10 percentage points over 1971 levels. But class sizes are increasing, the reading resource teachers have disappeared from the high schools altogether, and administrators doubt that these gains can be maintained.

Syracuse instituted a reading and math priority program three years ago, installing labs in schools, hiring special-needs teachers in reading and math, and providing in-service training to faculty. In 1974, PEP scores in the third and sixth grades reached the statewide average (although they remained below those in the suburbs). Syracuse School Superintendent Weeks is concerned, however, that staff losses because of budget cuts may affect their ability to maintain these improvements.

More ambitious and expensive individual experimental programs have markedly improved reading levels. In New York City Community District 8, students not meeting secondary school reading requirements attended a year-long Right to Read school, which offered an adult-student ratio of one to 15 and a curriculum focused on reading. One hundred percent of the students improved reading above expectations in 1972-73, 75% in 1973-74,

and 100% again in 1974-75. In the Multi-Sensory Reading Program in the same district, non-readers from elementary schools worked for half a day individually with adults (the adult-student ratio was about one to 10). In one year of instruction, pupils gained from 14 months to two years. But now both experimental programs face elimination for lack of money.

Another innovative and successful program was Project Impact in the south Bronx, which provided ongoing counseling services, an arts curriculum, and close involvement of the school with the children, their parents, and the community. The school, located in "the worst ghetto in the world," has almost 100% poverty students. Each counselor in the project had a caseload of 180 and worked with parents, handled referrals, had weekly meetings with classes, and trained teachers in techniques of building student self-confidence, which promotes school achievement. The success of the project was shown in increased attendance rates (highest in the district); improved test scores (the number reading on or above grade rose from 16% to 44%); a tremendous increase in parent-initiated contacts; and faculty enthusiasm (no voluntary transfers from the school for four or five years). The program was even overcoming socio-economic segregation, with "parents from the wealthy north Bronx opting to send their kids at their cost down to our school." But Project Impact was terminated for lack of funds. The school now has only one counselor two days a week for 811 children, no longer has the teachers for the arts program, no longer has in-service training, and has lost 17 teachers by excessing, and with them the project's major investment in time and effort. The enthusiasm of both staff and students at the school is waning, and absenteeism is rising.

A similar sequence of success, loss of funding, and subsequent decline involved the O'Henry Intermediate School in Manhattan. By offering a variety of electives, including courses and productions in the performing arts, foreign languages, and shops, and by individualizing programming for all subjects, the school was able to develop the talents of its children and to maintain heterogeneous classes. The children became highly motivated to attend and to learn. Reading and math grades improved, attendance was excellent, and the number of children going on to New York's highly selective, specialized high schools increased dramatically. However, funding cutbacks have seriously eroded these gains. The school now lacks the staff to arrange individualized programming and may have to eliminate it altogether. Guidance, social

work, library, and security services are almost non-existent; 400 students reading two or more years below grade receive no remedial services; electives are rapidly disappearing; and teacher excessing has disrupted the entire program. As a consequence attendance has dropped sharply, vandalism has increased, and the brightest pupils are leaving.

The College Bound program once selected economically disadvantaged students working below grade level in 23 high schools in New York City, and worked to raise their academic level and aspirations for college. Students were placed in classes of 15-22 in certain subjects (plus tutorials where needed), given cultural enrichment to broaden their experience, and "saturated guidance" by a counselor and family worker with a joint caseload of 100 students. The guidance team worked on career planning, on developing good study habits and attitudes necessary for academic success, and on encouraging family support. The program was highly successful: 80% of the ninth graders starting in it stayed with the program, 90% of them went on to college, and 70% went on to graduate from college. Between Title I funding cuts and constraints imposed by the State Education Department, the program is disappearing. Counselors now handle 200 or 250 students, which is too many for the "omnibus" counseling method. Small classes have been replaced by supplementary remedial instruction in math and reading, and the ninth grade has been eliminated, a critical loss that the witnesses consider "disastrous."

Other, more modest efforts to overcome the effects of economic disadvantage have also been lost; for example, the Kip's Bay creative enrichment program in the south Bronx and the after-school tutoring and study centers at P.S. 65 in Chinatown, which were so popular that the school accommodated more students only by forcing them to attend a recreation center on alternate days (even then there were waiting lists).

Considering the depth and pervasiveness of the burdens that poverty children bring to their schools, the cities' remedial resources are woefully inadequate. Even programs attempting to repair damage already done have been severely pruned, and the few programs that attacked the underlying causes of low achievement are now in danger of disappearing altogether. Alternate education, which has proved effective for students who cannot function in traditional classrooms, typically involves low pupil-teacher ratios, extra support services, and vocational training, all

of which are more expensive than the standard program and therefore unavailable to many who need it. In Rochester, for example, the neighborhood street academies and alternative day program—which cost about $1,000 more per student—serve only half those needing them. New York's facilities "barely scratch the surface." Merely enforcing discipline and security requires extra expenses for school guards, corridor aides, bus attendants, etc., which the city schools cannot afford.

Absence of the needed resources is damaging, because disadvantaged city students come to school with more problems and fewer private resources and are more dependent upon the school than middle-class children. Too often what the city schools can offer them is not the needed enrichment and compensation, but actually fewer resources. Class size and pupil-staff ratios in the cities are among the largest in the state, while facilities and support services are among the most constricted. When Dr. Wilner was asked by the Court whether the elementary schools had "fallen down on the job," he replied:

> "I think the elementary schools . . . are meeting a tremendous problem, particularly in the impacted and deprived areas of [the] City. They are meeting problems of social service, of poverty, of cultural and other kinds of deprivation with too meager monies at their disposal. . . .
>
> "There is so much else that is required and the services are so meager and spread so thin that we miss far too many young people.
>
> "Secondly, I believe that the City as a whole, and in our school system especially, is carrying burdens which are far beyond the burdens of the City itself.
>
> "We have vast numbers of in-migrants coming from our own territory and immigrants, and . . . we must meet the needs of all of these people. The need to provide programs, the need to provide resources that are necessary to meet this problem, just have never been given to us."

C. Impaired Mental and Emotional Health

The testimony of witnesses like Mrs. Salomon and Mrs. Bowman demonstrates that if given a manageable caseload, individual counselors and social workers can have a significant impact; solutions can be found even for children in desperate situations. Follow Through is a good example of the kind of program approach that can effectively cope with the mental and emotional problems of city school children. Even with a caseload of about 800, a social worker like Mrs. Bowman can do some of the follow-up on cases needed to save children from impossible situations.

Although Mrs. Castro taught 32 children, she had the help of mental health professionals and paraprofessional assistants in the Bedford-Stuyvesant program. They were able to build sustained relationships, for example, with the chair-throwing six-year-old, who can now read. A little boy squinted constantly and was excessively active in school from being cooped up at home in an eleventh-floor apartment because the elevators were too dangerous to let him ride them; the Follow Through staff obtained glasses for him, provided care at an after-school play center, gave him a lot of individual attention, and he began to calm down and read. Children with serious problems are managing in school because of the supportive resources of this program.

Dr. Gelerinter, the school psychologist, also testified about the Primary Mental Health Project in Rochester, which screened children in the early school years for potential mental health disturbances and provided help if symptoms occurred. Although this project was so effective that it became a prototype for programs all over the world, it has been discontinued in Rochester for lack of funds.

The prime need for coping with the overburden of mental health problems is staff—social workers, guidance counselors, psychologists, family assistants, and paraprofessionals—to provide the individual sustained attention that troubled children need to progress in school. Children with emotional problems need the stability of adults they can relate to daily, individualized teaching techniques, and ongoing counseling. Home visits are often essential to understanding why a child is having trouble or to deal with situations that require confidentiality. Some problems can only be resolved by persons familiar with the family's culture and language. Children facing emotional crises like abandonment or physical abuse and children who have severe emotional impairments need the experience and knowledge of trained mental health professionals to diagnose problems and carry out appropriate referrals.

Unfortunately, the staff available in the cities is pitifully inadequate. Defense witness House, the director of the state's Title I program, advocated a counselor for each 200-300 students. The State Education Department recommends that, in general, schools provide one counselor for each 400-600 elementary students, and one for each 250-300 high school students. Yet New York City, with tremendous concentrations of children in distress, has one counselor for each 1,873 elementary pupils, for 921

junior high students, and for 666 high school students. Syracuse has no guidance counselors in elementary schools, and a ratio of one to 400 in the secondary schools. Buffalo has no guidance counselors in elementary schools, and a ratio of one to 700 in the high schools.

State-recommended ratios for social workers and psychologists are one for every 1,000 students. New York City has one for 4,000 children in the community school districts, and 19 for the high schools with 305,000 students (a ratio of one to 16,000). Syracuse has one psychologist for 3,300 pupils, and one social worker for 698 elementary pupils, but none at all for secondary students. Buffalo has one social worker for 12,500 students and one psychologist for 5,500. Rochester has 20 social workers and 20 psychologists for 51,000 students, or one of each for each 2,550 students.

The few social workers, counselors, and psychologists have staggering caseloads. Mrs. Salomon, who works in one of the grimmest neighborhoods in the state, tries to cope with the problems of 2,377 ghetto children. Chinatown's P.S. 65 has one counselor for 1,710 children. In Rochester, Dr. Gelerinter estimates that one-third of the 51,000 students need the services of social workers and psychologists, and that 10% are severely disturbed, but his department cannot even handle all the formal referrals; it certainly cannot provide the ongoing counseling that many children need. In 1974-75, the Department of Mental Health Services dealt with 7,547 individual children: 3,800 direct formal referrals, 2,000 indirect recorded referrals, and 1,747 handicapped evaluations. Last year the department had 30 psychologists, 30 social workers, and 11 mental health assistants to meet this burden. This year it has only 20 psychologists and 20 social workers plus the assistants; it has thus lost one-third of its professional workers this year. Early identification and prevention, which would reduce the need for more intensive and expensive services later, are impossible under these stringent circumstances.

The consequence of the inadequate mental health resources is that even children in desperate straits receive no help. Formal referrals die for lack of social workers and psychologists, while the children remain in class, disrupting or withdrawn, and learning nothing. Witness after witness testified that counselors and social workers in their schools do, at most, "crisis intervention." As attested by Mrs. Gorman-Jacobs, the seventh-grade teacher in

P.S. 65 in Chinatown, there was no counselor at the beginning of the year for the 600 children in her building. When one arrived in the middle of the year, she received 100 referrals. She tried to get help for the 50 neediest, but was forced to narrow the group down steadily and ultimately only one child was given an appointment with a social worker. She estimated that between five and 15 of the 30 children in her classes are hampered by the lack of counseling. Among the seven children in Beryl Conklin's class of fifth and sixth graders in Rochester who were formally referred for mental health services in one year, there was a hyperactive child with diagnosed learning and emotional disorders who had been on a waiting list for a special class for six months at time of trial; a large, defiant, bullying boy who had been recommended 18 months before for home tutoring or a class for the emotionally disturbed; a withdrawn, stuttering, fearful child (a former battered baby now adopted) whom the social worker cannot see because in two days a week at the school he must confine himself to children that "just are really desperate;" and a child with a diagnosed learning disability who waited five years to get into an ungraded class. Other children, who are very hostile and need counseling, have not been referred because of the limited service available.

In sum, the staggering human tragedy for emotionally distressed children in the city school systems goes largely unremedied for lack of funds under circumstances where the state aid formula deems cities needful of only below-average state assistance for their public education.

D. Impaired Physical Health

The schools inevitably feel the consequences of the medical problem overburden; i.e., they must provide remedial instruction and special education classes. However, school nurse-teachers and assistants can prevent or detect and arrange care for many health problems. Lena Greene, a Follow Through nurse in lower Manhattan, described how such services work in one of the few city schools where they are available. Like other school nurses, she does health education, screening, and parent notification. But to ensure that problems are treated she must make home visits four and five times to reach parents, persuade them to spend scarce time and money for treatment, take children to clinics for repeated visits herself when parents cannot leave work

or do not speak English, and arrange Medicaid or reduced fees where possible.

Few children in the big cities receive such services, and the educational consequences are adverse. There are only eight other nurses like Mrs. Greene in the whole of New York City, all of them in Follow Through. In the other city schools a nurse from the Department of Health visits once a month. In Buffalo, a school with 1,000 pupils has a nurse one day a week. Syracuse has eliminated its nurse-teachers. In a comparison of staff per thousand pupils in four middle-class Syracuse elementary schools with four elementary schools in a suburb with the same tax base, the suburban schools have 2.34 nurses and 0.33 health aides per 1,000 pupils, while the four city schools have none at all. Illness and physical impairments are thus a continuing and pervasive educational overburden of the city schools, which lack the money necessary to meet that burden.

E. Handicapped Children

Educating handicapped children in all classifications requires a variety of expensive professional services. To begin with, under state regulations and court rulings, handicapped children must be identified and tested. A child identified as potentially handicapped is referred to the school guidance counselor or social worker, who must arrange physical, neurological, and psychological examinations. A committee on the handicapped must review the case and recommend special education placement or other treatment, after notification of the parent and a formal hearing, if one is requested. Compliance has cost the New York City schools $89 million in the last two years. Arranging for tests, seeing that parents actually take the child for the appointment (or having school personnel do it when parents cannot take time off from work), and working up materials consume hours, even days, of the counselors' time. Evaluation and recommendations for placement are the responsibility of the committee on the handicapped, which includes a school psychologist, a special education teacher or administrator, and others from the school district staff.

A child once identified as handicapped through these procedures must under the law be given special education services, including special classes, typically of 10 children, with a special teacher. Classes even smaller than the legal limit are needed for

certain conditions. Dr. Feulner, the director of special education in New York City, considers 10 "an unrealistically high number" for brain-injured children because they "require a tremendous amount of individualized attention" since they are "hyperactive, disruptive in their behavior patterns, subject to seizures, many of them under medication;" many are now reaching junior high age when they "are about the most difficult children to manage, because their behavior is aberrant. They are volatile." They need highly individualized motor training and physical education by a specially trained teacher. A handicapped child may be "mainstreamed" if feasible, but teaching handicapped children in regular classes is expensive because of the support staff required; e.g., additional staff members to reduce class size and curriculum consultants to assist teachers and develop materials. After placement, psychologists and social and family workers work with the teacher and family. State law mandates review of the child's status annually and re-evaluation once every three years.

Children with lesser handicaps need not be placed in special classes but nonetheless need therapy from specialized personnel. Dr. Kipfer, the state assistant commissioner for handicapped children, stated:

> "There are many, many children that are speech impaired but not severely speech impaired, and those children do need special services and they do need them by a certain person who is trained in the area of speech and hearing. It's not a problem that can be corrected by a regular classroom teacher or a remedial reading person or something of that nature. It's a very specialized area for treatment and correction."

The children she served in Syracuse needed speech therapy two to three times per week. Learning disabilities not so severe as to require outside therapy can be managed through prescriptive teaching techniques. But these require a learning disability specialist to prescribe them and are one-on-one techniques involving a teacher or paraprofessional, and so cannot be administered by teachers of large classes. They may call for equipment or specialized materials. Therapeutic support for associated emotional problems, and training to sensitize teachers to the existence and symptoms of learning disabilities, are also important in coping with them.

Before fiscal crises wiped them out, the cities operated several innovative and successful preventive programs outside the standard special education programs described above. The Educational Diagnostic and Prescriptive Teaching Center in Commu-

nity District 8 in the Bronx screened every first grader in seven schools for learning handicaps, and placed as many as funds permitted in a special center for one year. They then returned to their home schools, followed by a team of specialists who worked with them and their teachers. These children, who would otherwise have required special education placement, made a full year's progress in reading during the year in their home schools—or the progress of an average child without a learning disability. The program was terminated in 1975, and in the absence of a place to diagnose or house these children they remain in regular classes exhibiting disruptive behavior their teachers cannot handle.

Rochester has had similarly successful results with a summer program run by mental health professionals for 100 seven-to-nine-year-olds with serious emotional problems. After three summers' operation, only one-fourth had had to repeat the program and not a single child had to be placed in a special education class, although a number had previously been scheduled for such placement. The six-week summer program cost $500 per student, and has been discontinued for lack of funds.

Syracuse has a vocational work-study program for the educable mentally retarded, teaching job skills at the students' own pace. Since mental retardation is often accompanied by physical disability and vocational education involves dangerous equipment, pupil-teacher ratios must be small and the program is even more expensive than the traditional vocational program. The program has been highly successful, both in motivating retarded students to learn and in finding jobs for them. It has a waiting list that there are no prospects of serving, because of budget cutbacks.

New York City has a few pilot programs for learning disabilities like that described by Candy Edelbaum, a learning disability specialist for P.S. 75, a Title I school in Manhattan, where such a specialist works in a school assisting teachers and giving therapy directly to selected pupils. By individualized treatment, Mrs. Edelbaum was able to mitigate substantially the learning disabilities of several children. One fifth grader, unbeknown to everyone, could not copy from the blackboard because of a visual problem. He never did any work (he had no idea what the assignments were) and was considered nothing but a behavior problem by his teacher. By working directly with him and the teacher, Mrs. Edelbaum resolved his classroom problems; he now

likes to come to school and reads two to three years above grade level:

> "He was too bright a kid to lose. . . . These are the kids we do lose too. When there is a disability—and these are bright kids—when there is a disability and for some reason they emotionally tune out, you lose."

Effective programs like these require substantial funding that the cities are unable to provide from local funds. Fiscal cutbacks have left the city school districts without sufficient personnel or facilities for such programs—or even for the traditional special education offerings. The state aid given the intervenor districts for their handicapped children is inadequate to compensate for their enormous overload of such children, for it is allocated under an arbitrary and discriminatory standard unfavorable to city districts, and takes insufficient account of the severity of certain handicaps. Dr. Feulner cited brain-injured children, of whom there are 5,000 in New York City, all classified as non-severely handicapped and thus eligible for extra weighting only, although she, and she believes most professionals, regards them as severely handicapped because of the impact their disabilities have on their employability and ability to learn. Seven hundred children in correctional and child care institutions who have emotional problems that render them severely impaired also receive no special services aid.

Many speech impairments and learning disabilities are totally unaided. The speech-impaired are deprived of state aid by a special catch in the state's regulations. First, they can receive no additional aid for a speech impairment secondary to another handicap; i.e., unlike all others, speech handicaps arbitrarily do not count in determining whether a child is multiply-handicapped. Second, the city school districts are entitled to an extra 1.0 weighting for speech-impaired children only if they provide therapy five days a week by a teacher with a caseload of 15 to 20 children, a service they cannot afford to provide for more than a tiny fraction of those needing it. Rochester has 1,310 pupils who need daily speech therapy, 815 with a primary speech handicap, and 495 with another primary handicap and a secondary speech problem, but only 55 (all receiving special services aid) receive it. The district calculates that the additional cost to it of providing the daily services that would entitle it to aid for the 815 would be equal to the entire budget of the Department of Student Educational Services. Last year, only 600 or 700 children in New York

City received therapy with the frequency that entitled them to state aid for it, while 17,000 other severely speech-impaired children received less therapy and no aid.

Last year, New York City lost 1,050 special education teachers, as well as scores of social workers and psychologists, while gaining 6,000 to 7,000 more special education pupils. This year the city is losing another 600-700 special education teachers. Among the personnel lost were trainers for teachers of multiply-handicapped children, and curriculum consultants who developed materials and teaching strategies for emotionally handicapped children in regular schools. The upstate cities have similarly suffered severe cuts in their special education and mental health staffs.

The results for the handicapped children are tragic. The referral rate is dropping, and children referred may wait months for evaluation, either at home without instruction or in an inappropriate regular classroom. Even after evaluation, placement may be deferred for lack of teachers. The number of referrals in Bronx Community District 8, for example, dropped by 50% between 1974-75 and 1975-76. Half those referred for placement in special education classes were returned to the mainstream despite their condition because they could not be accommodated. In New York City, 1,500 emotionally disturbed children have lost their therapy teachers and 5,000 neurologically-impaired have lost their remedial instruction teachers. The waiting list for special education placement, not including speech-impaired, is 2,110. The waiting list for testing for special education is 1,000 in Buffalo and 3,000 in New York City. Class sizes have been raised to what Dr. Feulner considers "a professionally intolerable degree." In some schools brain-injured adolescents have broken loose from classrooms and run through buildings because one teacher cannot manage 10 at one time.

As stated earlier, 17,000 children in New York City cannot receive daily the therapy they need for severe speech impairments; 30,000 other speech-impaired children are denied therapy altogether. Last year alone, 157 speech teachers were cut, and the remainder have caseloads of 200. Mrs. Greene, the Follow Through nurse, testified that her entire school had the services of a therapist only once a week, and that children with harelips and severe stuttering wait as long as a year for treatment in a clinic. In Rochester, in the past year, 1,325 speech-impaired and 1,103 language-impaired children received services but only for inade-

quate periods, and 1,223 diagnosed as needing therapy did not receive it at all. The Buffalo schools managed to serve 5,341 of 6,516 speech-impaired children last year, but next year can service only 1,026 because of the fiscal pressures.

Children with learning disabilities receive virtually no therapy in New York City unless the disability is so severe as to call for placement in special education classes. Even then the children may receive no help for lack of diagnosis, testing, and placement facilities. When Mrs. Edelbaum arrived at her present school, she received 200 referrals from among 1,000 children, of whom she could see only 100 (only when their behavior becomes "noticeably terrible" and they start "acting out really horrendously in the classroom" are they seen). Seventy of these 100 were disabled, and 30 of them needed outside evaluation, but 15 did not receive it because their parents were unable to take them for testing, could not afford it, or could not speak English. Within the school, children received treatment only during the second semester when student teachers were available. Otherwise the school lacks the staff to implement the prescriptions given; it does not even have jump ropes or basketballs for exercise to help correct gross motor deficiencies.

Half Hollow Hills School Superintendent Lyons presented a stark contrast to these conditions in the city schools. His upper-middle-class suburban district of 13,000 children has more learning disability specialists in its schools than has New York City with 1,000,000 pupils. Dr. Feulner's division has designed a program similar to that of Half Hollow Hills, which is common in many suburban school systems, but the Board of Education has had to reject it three times for lack of money. That rejection points up once more the immense overburden of the city districts from their many handicapped children who cannot, under the inadequate and discriminatory state aid formula, be given the public education which they need and which the state requires.

F. Foreign Language Children

The tremendous population of children who do not speak English has a major impact on the schools. Under HEW regulations and the decision of the United States Supreme Court in *Lau* v. *Nichols*, 414 U.S. 563, public school authorities must make their instructional programs (including mastery of English language skills) meaningfully available to students unable to understand

English. The *Lau* mandate is specially applied to New York City by the decree in the *Aspira* case (*Aspira of New York, Inc.* v. *Board of Education of the City of New York*, 72 Civ. 4002 (S.D.N.Y., Aug. 29, 1974). That decree orders the Board of Education "to identify those students whose English language deficiencies prevent them from effectively participating in the learning process and who can more effectively participate in Spanish." Such children are to receive:

> "(a) a planned and systematic program designed to develop the child's ability to speak, understand, read and write the English language (a subject matter course taught in English, however, shall not constitute such a program; and a child should receive intensive instruction in English at times other than the periods in which he/she is scheduled to receive instruction in substantive courses in Spanish); (b) instruction in substantive courses in Spanish; . . . (c) a planned and systematic program designed to reinforce and develop the child's use of Spanish; and, a planned and systematic program designed to introduce reading comprehension in Spanish to those children entering the school system whose reading readiness assessment indicates the need therefor."

The decree further requires that "[a]ppropriate materials, tests, measuring devices, and other instructional instruments" be distributed and, where necessary, developed. Professional personnel must be fluent in Spanish, have requisite content and pedagogical skills, and be capable of reading, writing, and speaking English, and the Board of Education is therefore to provide second-language training for existing personnel, recruit bilingual personnel, institute bilingual licensing, and prepare personnel for obtaining it on an expedited basis. The Chancellor has extended this program to students speaking languages other than Spanish.

There are two basic approaches to teaching non-speakers of English. The English as a Second Language (ESL) program is most appropriate where students in one school speak a number of languages. Students remain in an ordinary curriculum from which they are excused daily for English language instruction. To be successful, ESL classes have to be small enough for individualization and practice in speaking. The second approach is bilingual education, which uses ESL instruction but also gives instruction in subject areas in the students' native language. It has the advantage that pupils have the opportunity to learn English without falling behind in other subjects, and is preferred where a concentration of students speaking one foreign language makes it feasible. In implementing the *Aspira* decree, the city is using both

approaches. Costs incurred have included the expenses of setting up pilot schools, recruiting and licensing bilingual staff, training existing personnel in Spanish, and developing and disseminating materials and curricula. Curriculum and materials development are expensive because they must be done for all levels and revised frequently, in a number of different languages, and to date have had to be done by the school system itself.

The special need is not confined to regular classrooms and ESL classes. Bilingual personnel and materials are also needed in special education, vocational education, and pre-kindergarten. Bilingual guidance counselors, social workers, and other support personnel are needed to communicate not only with students but their parents.

Where bilingual and ESL instruction is implemented with sufficient individualization, it has proved effective. In P.S. 65, for example, ESL once had classes of 15 children for a full two years after their arrival in this country. The children received the necessary practice in ESL, mixed with English-speaking children in other classes, and from the combination learned the language. The school also has a more intensive program called Situational Reinforcement Language Training, in which a teacher and a paraprofessional spend a minimum of 10 periods a week with a class of 12 who act out and talk about what they are doing. After a year most have not needed ESL instruction, and by the eighth grade could function in regular classes. But funding cuts have virtually put this program out of existence. Where it once had eight teachers, it will have only two next year, serving a maximum of 20 children.

The same process of cutback and dilution is seriously affecting the impact of programs for foreign language children all over the City of New York. Bilingual funding was reduced by $2 million last year. Federal funding, although available for some bilingual projects, covers only a small fraction of the cost of bilingual education. This funding was intended only to start bilingual education in a district, and terminates after five years. Moreover, local districts have to commit local funds to get federal money—funds the cities do not have. In the ESL program, children were originally taken out five or six at a time for English instruction, but now the teacher must take an entire class. Hours of ESL instruction have been reduced from two to one per day, sometimes only two or three times per week, and bilingual classes which had 25 are rising to 33 or 34. Teacher excessing has caused many trans-

fers, which have "a devastatingly negative impact" on the children and the continuity of their instruction. Student mobility compounds the problem because new arrivals force children, whose English is only slightly better, out of ESL and bilingual classes. The director of the Office of Bilingual Education considers that the program as it must operate this year will "not be very effective" because it so limits the opportunity to practice the language.

The impact of lack of services for non-English-speaking children was illuminated by witnesses who work in the schools. Mrs. Edelbaum, the learning disability specialist, described her futile attempts to help a mono-lingual Spanish boy with motor coordination and speech and auditory disabilities. Because she does not speak Spanish, she cannot give the boy therapy, and the program can afford only a few hours of a bilingual assistant's time. They cannot even get him tested because they are unable to make his parents understand the need to take him to the place in the city that conducts testing in Spanish. At the junior high level, Frank D'Amico, Principal of Junior High School 65 in Chinatown, testified that his school had nine ESL classes last year (with 270 students). Mr. D'Amico considers that program "inadequate to start off with" because 30 children in a class have only a few seconds each to practice English aloud. Although all these children had been in the United States less than two years, they were deprived of even this little ESL instruction by the arrival of 240 new students from overseas who displaced them. The children displaced are not competent in English, as their speech and marks reflect. Displacement from the ESL program entails a mid-year rescheduling of classes and teachers that disrupts instruction and deprives the child of a teacher who speaks his native language. Mr. D'Amico estimates "conservatively" that there are 600 children in his school whose English is inadequate. Sadly, many of the children do well on the state algebra examination in junior high school but go on to fail high school mathematics, where their lack of facility in English becomes disabling: "They have the brainpower . . . but . . . I am not giving them the skills they need to succeed." Mr. D'Amico put the language dilemma of the city schools succinctly: "It is as though we were trying to build a house on sand."

G. Vocational Education Students

Vocational education on the average costs twice as much per pupil as academic education. For example, in Buffalo it costs $724 more per pupil even after state vocational aid reimbursement. Reasons for this added cost include high capital outlay, including expensive equipment; maintenance; frequent replacement of equipment to keep up with changing technology; more highly skilled teachers; and smaller class size because of limits on equipment and the need for closer supervision when students are working with dangerous tools or materials.

The need for vocational education is greater in urban areas because more city students go into trades and fewer go on to higher education. When available, vocational education is a highly effective city program—as reflected in better attendance and lower dropout rates, and the observation by witnesses that vocational students become motivated for academic as well as occupational learning. Vocational education has also been used successfully in Syracuse to give education and employment skills to mentally retarded and behavior problem students. Fewer than 10% of the students in that program leave it without getting jobs or completing their studies, and 85% of the graduates obtain permanent paying jobs.

Although the cities have the state's highest vocational education needs and enrollments, they are far short of meeting the actual demand. A survey of high school students in the Bronx found that while 13.2% were enrolled in vocational schools, up to 90% wanted to enroll in specific vocational programs in New York City. They cannot, because every year 15,000 students are rejected from vocational education—half the applicants—even though the schools are already overutilized by 110%-160%. Students are also rejected in Buffalo for lack of money to accommodate them, as is true in Syracuse's special program. Obsolete materials and lack of newly developed equipment in entire fields, such as computer repair, further impair the scope and content of city vocational offerings. In sum, vocational education needs must be added to the substantial list of city educational overburdens left unredressed by the discriminatory state aid formula, which irrationally treats the cities as less in need of occupational education assistance when their needs are clearly the greatest in the state.

H. Student Absenteeism

Attendance rates can be somewhat improved, but only through very costly efforts. What the schools need are more programs that give students the incentive to attend (e.g., vocational, music, sports) and support services that deal with the underlying causes of absenteeism. Attendance is good when students are motivated to attend by programs that meet their interests and needs. For example, attendance rates are consistently better in vocational high schools, a difference that witnesses attributed to the specialized curriculum and motivation. The director of New York City's bilingual education program testified that in the city's bilingual programs attendance was good because of the pupils' higher motivation. In one high school, for example, attendance was 60%-65% in the main building, but 85%-90% in the bilingual annex.

Support services are essential. Mrs. Gorman-Jacobs testified that in her experience inner-city adolescents did not become truant if given sustained individualized support and attention, but that is impossible for a teacher with 30 students. Support personnel can alter patterns of poor attendance, according to Frank Rodriguez, a guidance counselor, based on his Syracuse experience. Mr. Rodriguez participated in an intensive support service approach, which had some success several years ago at Blodgett, a junior high in Syracuse in a poor neighborhood with all the problems associated with absenteeism, such as juvenile delinquency, disturbed homes, lack of motivation, and inadequate food and clothing. A full-time social worker spent all day in the community contacting absentees, their parents, and community agencies, while counselors, a school psychologist, and others based in the school followed up on the students' problems. Attendance was about 80%, but was raised by 3%-5% in three-and-a-half years.

Programs focusing on absenteeism specifically are costly. New York City Deputy Chancellor Gifford advocates alternative high schools, on separate sites, for chronic truants. Twelve such schools now exist, but he estimates the city could use 100 to serve 50,000 students if resources were available. Their attendance rate is 65%, still below the city average, but far better than if these students remained enrolled in traditional schools. Because of the individualization they provide, these schools cost 20%-30% more than regular high schools for personnel alone, and because they

function on separate sites overhead is 10%-40% more than at traditional schools. They have a waiting list many times the order of their capacity. New York City also has "mini-schools" within high schools for chronic absentees, offering substantial counseling, small group remedial teaching, and instruction in entry-level job skills. This effort, too, has brought truants back into the schools, but costs more per pupil because of the lower pupil-staff ratios. A similar program, which also has a waiting list, is in effect in Syracuse.

City programs that proved the most effective in improving attendance were not aimed at absenteeism specifically, but were comprehensive programs "enriched" to resemble the level of offerings and services in suburban districts such as Scarsdale, Great Neck, and Half Hollow Hills. For example, at the high school level the guidance team in the College Bound program not only monitored attendance but tried to resolve problems interfering with school attendance and performance. When a College Bound counselor worked individually with Darryl, a truant demoralized by drug problems in his home, he not only returned and graduated but went on to attend a private college with a full scholarship. In DeWitt Clinton High School, where 17% of the students are absent daily, absenteeism among College Bound students is only 6%-7% a day. Unfortunately, this program's basic design has been severely warped by cutbacks in funding, and program restrictions imposed by the State Education Department.

Two experimental inner-city schools had attendance rates among the city's best when their programs were fully operative. In P.S. 152 in the south Bronx, where Project Impact emphasized counseling services, an arts curriculum, and involvement with parents and community, attendance rose from 84% to 92%, the highest in the district. Because the extra dollars it required are gone, this project no longer exists and attendance has been sliding again. Another experimental program, at the O'Henry Intermediate School, offered a rich variety of elective courses (especially in the performing arts), individualized programming, and support services. Attendance was well over 90%, the second highest of all junior high schools in New York City. The program has gradually been gutted by funding cutbacks—and daily attendance is now only 80%.

These programs which have reduced absenteeism are costly and exceptional. Several have been discontinued or diluted to the

point of losing the characteristics that ensured their effectiveness. The cities cannot afford full compensatory programs and intensive support services for all their disadvantaged students who are frequent absentees. They cannot provide vocational education and alternative schools for all the students who need them, nor classes small enough to permit individualization, nor support services anywhere near state-recommended levels. Compensatory programs are being cutback on every side. Half those who apply for vocational schools in New York City are turned away every year. The average class size in Rochester is 33 this year, as it is also in New York City. Thus, these remedial programs that tend to raise motivation and thereby attendance simply cannot be funded.

Lacking the funds for remediation, the cities' attempts to cope with absenteeism can rely only on use of general support services that are already spread so thin for lack of funds that they can make no significant impact on the absentee rate. We have previously reviewed the cities' diminished and diminishing numbers of social workers, psychologists, and counselors. The attendance teacher ratios are even worse. In New York City this year, the ratio of attendance teachers to pupils citywide is one to 4,161; in some community school districts it is one to 20,000. The situation is equally bad in Buffalo, which has one attendance teacher for each 5,176 pupils, one guidance counselor to 700 high school students, and one social worker for 12,500 students.

It is not impossible to cope effectively with the problem of absenteeism, or even the educational consequences of poverty itself, as programs like Follow Through, Project Impact, and College Bound have demonstrated. But with their limited resources, the cities cannot ameliorate the burdens of absenteeism and its educationally damaging results, any more than the other severe educational overburdens we have reviewed.

V. Conclusion

The foregoing review demonstrates three realities flowing from the magnitude of the education burdens of central-city schools that should be of priority national concern:

First, disadvantaged inner-city school children are daily being denied access to equal educational offerings—equal, that is, to those routinely received by their suburban counterparts;

Second, disadvantaged inner-city school children are daily being denied the kind of adequately funded compensatory programs that experience has shown can result in vastly improved educational outcomes; and

Third, many other urban school children who are not disadvantaged by poverty also are being educationally shortchanged by diminished school offerings and opportunities as the cities are forced to concentrate limited and inadequate resources on their many special-need students.

Unfortunately, federal Title I monies are simply inadequate to make up these deficiencies. Many poverty children in the cities obtain no Title I help at all because they do not attend schools that meet the rigid poverty standards of Title I. Even those children who do get Title I aid receive only the modest extra services that can be purchased for $100-$200 a year. At a time when inflation has pushed annual per-child school expenditures in many states and cities above $1,500 or even $2,000, the limited Title I supplements presently available simply cannot meet the pressing need.

Nor have the states in recent years provided the resources to meet the problem. Some states do recognize the plight of the city

schools, and by statute authorize extra help for their disadvantaged children. But even these states have only partially funded their extra aid provisions because state revenues, diminished by the recent nationwide recession, have been committed to other priorities.

Nevertheless, the problem must be solved and the money must be found. Some states, including California, Florida, Illinois, Kansas, Michigan, and Minnesota, have recently found it feasible to finance significant school aid reforms by increasing and redistributing their fiscal resources for education more equitably between city and suburban school districts. As other states consider a similar course, the evidence in support of the cities' constitutional challenge in the *Levittown* case is offered for insight into urban education problems and remedies.

In a larger sense, this is a case for the country's conscience.